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CALENDAR

OF

STATE PAPERS,

DOMESTIC SERIES,

OF THE REIGN OF

CHARLES I.

1640–41.

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UNDER THE DIRECTION OF THE MASTER OF THE ROLLS, AND WITH THE SANCTION OF HER MAJESTY'S SECRETARY OF STATE FOR THE HOME DEPARTMENT.

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PREFACE.

The papers calendared in the present volume carry on the history of the reign of Charles I. during the last four months of the year 1640 and the first five of 1641. They are exceedingly numerous and of great interest, embracing the first seven months of the Long Parliament. After the close of the year 1640 they begin rapidly to diminish in number, and after 1641 fall off so rapidly that the remaining seven years of Charles's reign will scarcely occupy as much space as the two eventful years comprised in this and the preceding volumes. The cause of this is readily explained. The more varied and pressing the nature of public business the more numerous will be the official correspondence. However, this is not the sole reason, although undoubtedly the years which immediately preceded the outbreak of the Civil War are more replete with interest to historians than those which follow it. A further cause of this diminution was the removal of the Court from London; which prevented the chief officers of State from depositing their papers in the State Paper Office, the King's repository, and they consequently became scattered. Some were left at Oxford, others at York, while the Court remained in those cities, and many more were carried about by the ministers themselves from place to place, till they finally perished, or, being preserved amongst the family archives, are to be found in private libraries, as evidenced by the rich treasures recently brought to light by the publication of the Reports of the Royal Commission on Historical Manuscripts.

The papers which were not destroyed intentionally or lost were deposited by the owners in places not within the enemy's quarters. Thus little of the Royalist correspondence found its way into the Government repository, except such as was intercepted by Parliamentarians or taken amongst the spoils on the battle field. As for the provisional government, it set but small store by its papers. The Parliamentary leaders naturally were disinclined to commit their confidential papers to the Government custody, not knowing into whose hands they might fall or what use might be subsequently made of them. The State Papers, therefore, both of the Royalists and Parliamentarians, for the latter years of Charles I.'s reign are but few. After the King's decapitation, the State Papers of the Commonwealth become more numerous, having been brought together by the poet Milton.[1] These are now in course of being calendared by Mrs. Green.

As regards the general character of the papers calendared in this volume, it is only requisite to state that they are very similar to those in the preceding volumes. They contain, in a crude form, the contemporary history of nine months, written by some of the chief actors in the events which they record, and in their own words, which have been retained as far as consistent with the necessary brevity. Some of them have already been printed in full in the several collections of State Papers, and these have been but briefly noticed, references being given to where they may be found. Some others, though not printed, contain only information on facts previously well known, but these often have interest as representing things in a new light.

The present volume opens with the news of the retreat of the English forces, and the entry of the Scottish

[1] See Papers relating to Milton, Soc. Camd., p. 47.

army into Newcastle under Leslie. This first reverse converted the campaign against the Scots from an offensive into a defensive war. "Such," writes Secretary Vane from York to, his brother Secretary, Windebank,[1] who had been left in London to transact the business there during the King's absence with the army, "is at present the state "of affairs that nothing is to be advised but to put our "army on the defensive, by which you see, let man pro- "pose what he will, God only disposes." That the Scots should have dreamed of a successful invasion of England, much less attempted it, in the face of the royal army commanded by the King in person, has been considered by many writers inexplicable, except on the supposition that they had been beguiled into the attempt by a false reliance on the forged letter of Viscount Saville, which purported to have been signed by the English disaffected Peers, as leaders of the malcontent party, and pledging that party to rally to the assistance of the Scots so soon as they should have crossed the border.[2] A much more natural explanation is suggested by the writer of a "northern letter.[3]

"Leslie himself, if his story were searched, would be found one who, because he could not live well here, took up the trade of killing men abroad, and now is returned to kill, for Christ's sake, men at home. If you will have my opinion, I think their quarrel with the King is that which they may have with the sun;—he does not warm or visit them as much as others. God and nature have placed them in the shade, and they are angry at the King of England for it."

Apposite as this explanation may be, it is insufficient to account for the extraordinary phenomenon of an unvanquished nation, vastly superior in material resources and population, collapsing on the first attack of an inferior antagonist. If there had not been cogent political and social forces at work to account for it, the often prophesied

[1] p. 1, No. 2. [2] See Gardiner's Fall of the Monarchy, i., p. 437.
[3] p. 212, No. 106.

decadence of England must then have been said to have actually commenced. Things must have looked very bad indeed when Sir John Conyers, the Governor of Berwick and Lieutenant-General in the army of the North, was constrained to write[1] in this desponding mood to his immediate military superior, Lord Conway, who held the important command of Deputy General of the army :—

"I hear that in Scotland they raise many forces, and draw many from Newcastle and Durham towards the edge of Yorkshire. They fail not to prepare against an occasion, but we weaken ourselves daily and are too secure. It were good we made peace, for we are not overfit to make war. We hear strange news from the Parliament, whether true or no, time will show."

The true explanation of this unwonted state of things is to be sought in the social condition of England at that time. The simple knowledge of what this was, was of itself sufficient inducement to the clear-sighted leaders of the Scots to make them resolve on an invasion as the readiest means of compassing their object. What was really the state of mind of the English people in 1640 towards the King, the Government, and the Scots, and with reference to passing public events is a question of the deepest historical interest, but one which cannot be properly comprehended "without some knowledge upon this subject "far different from that which can be acquired from the "ordinary authorities."[2] It is only by an acquaintance with the original correspondence of that time, such as that contained in the present volume, that the true significance of the situation can be grasped.

The position of affairs at this juncture is briefly expressed in the notes of what took place at the meeting, on the 31st August 1640, of the Committee of Council,

[1] See p. 268, No. 2.

[2] See Preface by Mr. John Bruce to Notes of the treaty at Ripon, Camd. Soc., p. viii.

entrusted with the management of affairs during the King's absence, and which were to form the substance of a letter by Sec. Windebank to the King :—

"The Lords of the Council are very sorry for the ill news [from the North]. To give account to his Majesty of the [disaffected] lords being in town, and of the dangerous consequence of it, and to know his Majesty's pleasure what he will have done. [*Margin:* The City Mustering.] The Earl Marshal will speak with the Earl of Bedford, and wish him to go into the country to his lieutenancy. [*Margin :* To write to the King and Mr. Treasurer Vane that the Archbishop of Canterbury's letters were written before theirs came.] That the Lords understand the Queen will desire the King to call the Earl of Essex and to employ him ; that his Majesty will please to do it with his own letter in the most obliging way ; that it will be of great importance to call him from the ill-affected lords here, and a great contentment to all kind of people. Lords Saye and Brooke another time. The Lord Mayor and Sheriffs with some aldermen to be at the Board next Wednesday. The Earl Marshal to signify to the City that they are to have the forces of the City in readiness ; as also to the rest of the counties. If they desire to muster to let them know it will be a great charge, and during the sickness it may be dangerous. A garrison and drakes [to be stationed] at Whitehall. Care to be taken of the gates of the City and of the chains. In case the lords here should join in a petition, to know his Majesty's pleasure what is to be done."[1]

The lords alluded to were the Earls of Essex, Warwick, and Bedford, Lords Saye, Russell, and Brooke, with Pym and Hampden, who were described by Sec. Windebank "as not being very well contented with the time."

These leaders of the opposition, or Commonwealth party as it was then commonly termed, took counsel together for the drawing up of the petition[2], which Mr. Gardiner[3] tells us was probably only a copy with slight alterations of the Remonstrance, to avoid the presentation of which the Short Parliament had been dissolved. It was completed three

[1] See vol. cccclxv., No. 56. [2] See vol. cccclxv. Nos. 16, 19.
[3] Fall of the Monarchy, ii., p. 423.

days prior to the above-mentioned meeting of the Committee of Council, but was not delivered to the King till after. It bears date 28th August, the day of the rout at Newburn, and as it stands was doubtless the handiwork of Pym, though Pym's signature was not affixed to it. It was probably thought more advisable that it should purport to emanate solely from the lords, who were constitutionally regarded as the hereditary counsellors of the King, and therefore had the privilege of addressing him on political matters. The peers who signed it were Exeter, Bedford, Hertford, Essex, Rutland, Warwick, Bolingbroke, Mulgrave, Saye, Mandeville, Brooke, and Edward Howard of Escrick, as may be seen in the last vol. of Domestic Calendar, p. 640; but Rushworth,[1] who is followed by most historians, omits the signatures of the Earls of Exeter and Rutland, and wrongly inserts those of Bristol and Paget. It is a remarkable fact, although not generally noticed by those who have written on the subject,[2] that the malcontent lords, instead of keeping their petition a secret from the Council, openly challenged the resentment of the Government by sending the Earls of Bedford and Hertford to submit it to the Council, with a request that they would join with them in their application to the King,[3] "with this protestation, that "they wash their hands from the mischiefs that will "happen if the Lords of the Council do not join with "them in it."[4] The petition prayed for the immediate calling of a Parliament in order to redress the grievances therein specified, and to bring to condign punishment in a legal way the authors and counsellors of the ill government under which the country groaned, and "that the present "war may be composed by your Majesty's wisdom without

[1] iii., 1260.
[2] See Notes of the Treaty at Ripon, Camd. Soc., p. xxxiii.
[3] See Sept. 6, p. 21. [4] p. 23, No. 75.

" bloodshed, in such manner as may conduce to the honour " and safety of your person, the comfort of your people, " and the uniting of both your realms against the " common enemies of the Reformed religion." The demand for the punishment as well as the dismissal of his evil counsellors was thus all that Charles had gained by his rejection of the terms of the Short Parliament. The reply which was returned to these Lords' petition is noted by Edward Nicholas.[1] " Before the receipt of " this petition his Majesty well foresaw the danger that " threatened himself and crowns, and therefore resolved " by the 24th of this month of September to summon " to York all the Peers, and with them to consult what " in this case is fittest to be done for his own honour " and safety of the kingdoms, where they [the peti- " tioners] with the rest may offer anything that may " conduce to these ends." The fact that the Peers had sided with the King and Council in the late contest with the Commons in the Short Parliament, undoubtedly exercised considerable weight in inducing the King to adopt this expedient of appealing to the Lords alone in the first instance, in preference to the summoning of Parliament, which the more far-sighted of his counsellors assured him was the only effectual course to be pursued. In this emergency, in order to satisfy his doubts, the King called upon Sir John Borough, as keeper of the Records in the Tower,[2] to enlighten them with his knowledge of the manner of holding such assemblies; and to his great gratification learned that Edward III., in his necessities, had applied to a similar grand council of the Peers, and had obtained supplies without the calling of a parliament. It was quite clear, therefore, that there was a precedent for such a course. But cir-

[1] See S.P., vol. cccclxv., No. 16. [2] See p. 409, No. 23.

cumstances had changed during the three centuries which had intervened. A Parliament was now recognised everywhere as the one thing needed.

"We are," writes Sec. Vane to Sec. Windebank, "in great expectancy of the 24th instant, and of the Lords and Sir Francis Seymour coming down; though it is not expected by us here [in York] that the meeting of the Peers will produce anything more than a resolution for a Parliament, which word is thought sufficient not only to put the Scots out of the kingdom, but a balm to cure all our sores. If you ask this bearer he will tell you how those of Newcastle suffer."[1]

The petition of the twelve Lords was supported by a similar one from the City, which expressed with even greater force the nature of the evils from which the country suffered.[2]

"Moved by the duty and obedience which by the laws they owe to your sacred Majesty, petitioners humbly present these several grievances. The pressing and unusual impositions upon merchandize, and levying of ship-money, notwithstanding both which their ships and goods have been taken by Turkish and other pirates. The multitude of monopolies, patents, and warrants, whereby trade is decayed. Innovations in matters of religion. The oath [and canons] lately enjoined by the late Convocation. The great concourse of Papists and others inhabiting in London. The seldom calling and sudden dissolving of Parliament without redress of grievances. The imprisonment of divers citizens for nonpayment of ship-money and impositions, and the prosecution of many others in the Star Chamber. The great danger your sacred person is exposed unto in the present war. Petitioners, conceiving that these grievances are contrary to the laws, and finding by experience that they are not redressed by the ordinary course of justice, do therefore beseech your sacred Majesty to cause a Parliament to be summoned with all convenient speed, whereby they may be relieved in the premises."

So peremptory was the order of the Council against proceeding with this petition, which they designated

[1] See p. 69, No. 76. [2] See vol. ccccIxvi., No. 42, pp. 34–36.

"a shameful one and unreasonable,"[1] that the City authorities were terrified into an affected submission; and on the 24th September the Lord Mayor, Sir Henry Garwaie,[2] humbly certified that the Court of Aldermen had no hand in contriving the petition lately intended to be exhibited to his Majesty by some of the citizens of London, neither did they subscribe it. *Signed*, Henry Garwaie, Mayor, with the consent of the Court of Aldermen.

The leading gentry of Yorkshire likewise petitioned to the same effect, so that the ebullition of public feeling could be no longer repressed, and the Council was obliged ultimately to bend to the force which they could not resist. To the request of the King for their advice how to act in this emergency, the Lords of the Council in London counselled him to take the initiative in complying with the national demand; and on the motion of the Earl Marshal, to whom was committed the military defence of the country south of the Trent, a letter was despatched to the Court at York on the 16th September, recommending that his Majesty should "declare at once "for the calling of a Parliament that he may have the "honor of it himself."[3] "This, it is thought, will stop all "petitions."[4] But it did not, for on the 22nd the petition from the City, signed by four aldermen and "not so few "as ten thousand others," was handed to the King, together with the unwelcome news that Edinburgh Castle, which had been so stoutly held by Lord Ettrick, was at length surrendered to the Covenanters, whose power was now supreme in Scotland from north to south. Reluctant as the King might be to give way to the demand for a Parliament, he was at length forced by

[1] See p. 68, No. 75.
[2] See p. 90, No. 18.
[3] See p. 67, No. 75.
[4] p. 68, No. 75.

circumstances to come to that resolve; for the pepper money, which had been his last financial resource, was now fast being exhausted, and then the final catastrophe must come. It was evident that no power on earth could keep his disorderly army together without provisions in Yorkshire, any more than he had been able the year previously to restrain the soldiery in Northumberland. On the 18th of September Sec. Vane wrote from York to Sec. Windebank :[1]

"I have little at present to trouble you with, more than to tell you that, notwithstanding the Council's advice for a Parliament, I do not find in his Majesty yet any certain resolution for it. The papers you sent enclosed to his Majesty he has put into my hands, which require no reply; and for the printing of the papers he commands me to tell you he holds it most fit you should print them in the south, as we do here also on the like occasions. We are here in expectation of the meeting of the Peers, so until then you are not likely to hear much from me. Besides, we have had so great rains these two days, and the waters are so out, that there is scarcely means to pass anywhere upon the roads, and no further intercourse is likely to be between this camp and the rebels until the Peers assemble. You may rest confident of his Majesty's care to regain what the Scots have got upon this kingdom, so you furnish him with money in time, and according to the hopes given to his Majesty since his coming hither. In a word, if 42,000*l.* come not, and speedily, the army being now out of pay, what inconveniencies may follow the Lords and yourself may apprehend, considering but how the times are at present conditioned, and the rebels within five or six days' march at furthest.

In his perplexity of mind the King wrote to the Queen, who from this time became an important political factor, for her advice, which she gave in favour of calling a Parliament as the only possible means of extrication out of the dilemma. This finally resolved the King to take that course, so that when the Peers met on the 24th September they had only to endorse a foregone conclusion.

[1] See p. 74, No. 101.

In his opening address, which was above his usual style of eloquence,[1] Charles declared his resolution[2] to direct the immediate issuing of writs for a Parliament to meet on the 3rd of November, and asked for counsel, not on the readiest means of chastising the rebels, "for I must call "them so, though they are also my subjects," but on the nature of the reply to be returned to the Scots' petition, and on the means of keeping his army together till the meeting of Parliament. Under two of the copies[3] of the King's speech contained amongst these papers, will be found underwritten the motto of the Scottish standard, "The Lord is with you while yee bee with Him." 2 Chron. xv. 2. The numeral letters therein making the year 1640, viz., M = 1,000, D = 500, LL = 100, seven V's = 35, and five ones = 5. On this very day, in order that no time might be lost, the Lord Keeper Finch wrote[4] to Mr. [Thos.] Willis [Clerk of the Crown] :—

"You must forthwith, with all possible speed, give order to the Clerks of the Petty Bag, and such others as it belongs unto, or who may be useful for the quick despatch of the business, to make ready writs for the Parliament, which the King has appointed shall be held the 3rd of November next, at Westminster. I shall need to say no more, but let you know that his Majesty's pleasure is no minute of time be lost. When the writs are done send them post with all speed hither, that I may seal them, and take order for their disposing. P.S.—The writs are to bear date this day, being the 24th of Sept."

Sec. Vane, in communicating the intelligence to Sec. Windebank, adds as a postscript to his letter[5] of the same date:—

"It is his Majesty's pleasure you inform the Queen hereof, and with it I beseech you to present to her Majesty my humblest service, and to tell her that his Majesty this morning expressed himself frankly to the Peers, to their great satisfaction."

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[1] See p. 91, No. 23. [2] See vol. ccccIxviii., No. 1.
[3] See p. 88, Nos. 11, 12. [4] Vol. ccccIxviii., No. 16.
[5] See p. 91, No 22.

The question of summoning a Parliament being thus finally disposed of, on the following day [25th Sept.] the Peers took the King's financial difficulties into consideration, and debated concerning a treaty with the Scots, the King being present all the while.[1] Amongst other points considered were the "maintenance of the King's army and the loan of 200,000*l.* from the "City. What answer to give the Scots? How to "keep the King's army till the Parliament? Free "speaking commanded to the Lords. A desire of the "continuance of the King's presence at the debate."

The Scots on their part were not slow to avail themselves of the occasion; and on the day of the meeting of the Peers at York the Commissioners of the late Parliament and others "his loyal subjects" of Scotland, forwarded the following address to the King:—

"Your Majesty by your answer to our late supplications having appointed the 24th of this instant month for that great meeting where we should receive the answer to our petition, by these we presume to remember your Majesty of our former, and hereby earnestly beg such a resolution therein as may tend to the glory of God, the honour of your Majesty, and welfare of your dominions; for which benefit we shall heartily pray and apply our weak endeavours, as they who are specially obliged, and do above all earthly things desire your long and prosperous reign over us, and who do wait your gracious answer."[2]

This shows the sincerity of the Scots in their desires for an amicable settlement; but, notwithstanding their asseverations of loyalty and obedience to Charles as their Sovereign, they were not prepared to abate anything of their demands, and now required that their army should be provided for by the English Government, on the ground that as their stores of money and provisions were already exhausted, they would not be able other-

[1] See p. 94, No. 29a. [2] See vol. ccccIxvi, No. 42, p. 8.

wise to keep their soldiers from plundering. Such demands, coming from those whom he considered rebels, must have seemed to the King most outrageous, and he was glad to shift the responsibility of dealing with them on to the Peers.[1]

"In a spirit of entire independence of the King's "ordinary advisers," observes the late Mr. John Bruce,[2] to whose erudition the earlier volumes of this Calendar owe so much elucidation, "the Great Council at once "took upon it to do the work of the Executive. Some "of its members were directed to apply to the City of "London for a loan. The merchants and aldermen, "who could find no money so long as the King was "at variance with his people, made little difficulty in "supplying the necessary amount now that he had "yielded to the general wish for a Parliament. But "what was to be done with the Scots? Entrenched in "Newcastle, the northern counties at their mercy, with "a contribution for maintenance paid them by North-"umberland, Durham, and Newcastle, in all the flush "of success, with full confidence in their general, and "with a certainty that the King's undisciplined troops "were quite unable to withstand them, they were not "likely to be in any mood to abate one jot of their "demands, or to be got rid of without large concessions."

How the Peers proceeded with their difficult task is very ably noted by Sir John Borough, who acted as Clerk to the Great Council, and took full notes of their proceedings,[3] which Mr. Bruce tells us "constitute the only record we possess of what took

[1] See p. 99, Sept. 25.

[2] Notes of the treaty at Ripon, Camd. Soc., p. xxxvi.

[3] These notes are preserved in the British Museum, Harleian MSS., Nos. 456, 457, and are printed in Lord Hardwick's collection of State Papers, ii., 208–298.

"place in that assembly."[1] The papers calendared in this volume, however, throw much additional light on their successful labours, and comprise many of the original documents published by Rushworth and Lord Hardwick, not unfrequently from faulty copies. Having deputed a certain number of their body to repair to London for the negotiation of a loan of 200,000*l.* upon the joint security of the Peers, the assembly proceeded to choose sixteen Lords who were considered the most likely to bring the negotiation with the Scottish leaders to a speedy conclusion. Even Strafford, who was for "thorough," now saw the hazard of delay; and, while advocating the policy of wearing out the Scots by standing on the defensive, he emphatically declared that the country would be lost in two days if the King's army were to be dissolved for want of supplies. These negotiations, as might be supposed from the national prejudices engaged on either side, have been variously criticised by historical writers, and many have fallen into grave mistakes, not excepting the two great authorities, Clarendon and Hume, who appear to have been particularly devoid of authentic information on this point, such as may be gathered from the papers calendared in this volume, and from the valuable notes of Sir John Borough, who accompanied the Commissioners to Ripon in the capacity of secretary or clerk, and whose notes, after having been long lost, were recently discovered in a private library and edited by Mr. Bruce for the Camden Society in 1869. In particular, attention should be called to a printed manifesto of the Scotch Covenanters, justifying their invasion of England, with Archbishop Laud's manuscript notes in the margin, which will be found reprinted in this volume, pp. 161–166.

[1] Notes of the treaty at Ripon, Camd. Soc., p. xxxvii.

These manuscript notes, which are the more valuable portion of the document, graphically express the sentiments which the Archbishop entertained towards the Scots and their covenanting demands, and, being placed in juxtaposition with the Scotch arguments, are very entertaining. What fatal results followed their adoption by his royal master are too well known to require any comment. Other papers of much historical value are Sec. Windebank's notes of what passed at the meetings of the Council, and of the substance of the letters he wrote to the King. These will be found in the volume under their several dates, and may be readily turned to by reference to the index. As the 3rd of November drew near, there were great searchings of heart in high places, and sharp contests as to the choice of members. Dr. Thomas Read thus writes[1] from New College, Oxford, to his nephew, Robert Read, who acted as private secretary to his uncle, Sec. Windebank:—

"Though, for my own part, I know my uncle's [Sec. Windebank] wisdom to be such that the University should not have suffered through his silence in the last Parliament, yet I have not the power of other men's opinions who are guided only by their own perverseness. Most of our doctors and the principal men of the University were well inclined towards him, but I am informed that some higher power was directly or indirectly interested in the election of both the last [members]. However, I am glad the Puritan faction prevailed not. The late insolences in London have given me small encouragement to come thither this term; besides, my year of silence not being expired, I had no inclination that way. I fear Sir Henry Martin's [Judge of the Court of Admiralty] speech, that he was going to the funeral of his profession, will prove to be prophetic, though in another way and by worse means."

On that memorable day, which had long been looked forward to with perhaps exaggerated hopes by one political party, and with equal anxiety by the other, the

[1] See vol. cccclxx., No. 67.

King went down to the House of Lords, not attended as usual by the state of royalty, but in his barge by water from Whitehall to Westminster stairs, and thence on foot, as detailed in one of the papers calendared in this volume,[1] which also gives the names of the officers, lords, and others who formed the royal following on this occasion, and the order in which they went. It is followed by a prayer in Archbishop Laud's handwriting, which concludes with the petition "that the King and his people "meeting with these [good] affections may go on with "mutual comfort and contentment to the great honour of "the King, the safety of the kingdom, and the settlement "of true religion, to the final extirpation both of super-"stition and schism, and the upholding of the true and "sincere worship of God in the land."[2]

This is not the place to discuss the many weighty questions which came before the Long Parliament for settlement, and on which the papers in this volume throw additional light; but mention may be made of a few of the changes introduced into the then existing machinery of government. Incidental notices of these will be met with in these papers, though they are on the whole deficient in directly parliamentary news. There are but few manuscript notes of what passed in the two Houses, nor are the interesting news-letters of Rossingham, which formed so conspicuous a feature in the preceding volume of Calendar, to be found in this.

The King's opening speech, which was brief, has been several times printed,[3] and there are no fewer than five copies amongst these papers,[4] nearly all of them differing

[1] See vol. ccccIxxi., No. 11. [2] See vol. ccccIxxi., No. 12.

[3] Rushworth, iii., 1335, also iv., 11, 17, and in Cooke's Speeches and Passages in Parliament, ed. 1641, p. 1.

[4] Vol. ccccIxxi., Nos. 13–17.

in some minor particulars from each other and from the printed copies. But all agree in this that the chief gist of it was the want of money to enable him to chase out the rebels, in return for which the King promised a redress of grievances. The Commons, several of whose leaders had already entered into negotiations with the Scottish army, were offended at the term "rebels" being applied to their friends, and determined to adhere to their ancient maxim, that redress of grievances must precede supply. The King in consequence found it necessary to explain away the obnoxious phrase, and in a conciliatory speech delivered on the 5th November to the Lords, but which is not entered on the Journals, he said,[1]

"I shall explain myself concerning one thing [I spake] of the last day [we met]. I told you the rebels were to be put out of this kingdom. 'Tis true I must needs call them so, so long as they have an army that doth invade us, yet I am now under a treaty with them and under my Great Seal of England I do call them my subjects, and so they are too. But the state of my affairs is briefly thus: It is true I thought when I called the Lords of my Great Council to York to have met you at this time only to have given you a gracious answer to all your grievances, for I was in good hope by their wisdom and assistance to have made an end of that business. But I must let you know that my subjects of Scotland did so cavil and delay, that it was not possible to end that there. Therefore I can in no wise blame the Lords that were at Ripon that the treaty was not ended, but must thank them for their industry and pains; and certainly, had they had as much power as they had affection, I should by this time have made an end. But now the treaty is transferred from Ripon to London, where I shall conclude nothing without your knowledge, and I doubt not without your approbation; for that I do not desire to have this great work done in a corner, I shall hereafter open all the steps of this misunderstanding and the causes of these great differences between me and my subjects of Scotland. And I doubt not but by your assistance I shall make them know their duties and make them return whether they will or no."

[1] See p. 246, No. 23 *et seq.*

This speech supplies the true clue to the situation of the King's affairs. All now rested with the Parliament and the view it might take of the Scottish invasion. How far "choice and inclination," as we are assured in the Eikon Basilike,[1] may have concurred with the advice of others and the necessity of his affairs in inducing Charles to call the Parliament may perhaps be a question. But there can be no doubt as to the finality of the appeal. No Parliament had ever met since the days of Simon Earl of Leicester with so overwhelming an expression of popular sympathy. Not only did it represent the electors but non-electors as well, while it held in reserve a material guarantee for the enforcement of its will. "By a strange com-
"bination of circumstances, it had become impossible
"for Charles to defy his Parliament without defying the
"Scottish army as well. Unless he could pay the 850*l.* a
"day, which the Scots had agreed to accept, their army
"would hold the treaty of Ripon to be at an end, would
"cross the Tees, and march southwards."[2] "Although
"the Scots advance not," writes Sir John Conyers to Lord Conway,[3] "saving to enlarge their quarters, yet it
"has been said they intended to pass the Tees hitherward.
"Though many in this kingdom make no question of
"their integrity, yet if they should pass, I have desired
"in my letter to his Excellency the Lord General to
"know how we are to behave, whether to resist them
"as our enemies; because so many of this kingdom
"esteem them friends." The real truth was that there was no force in existence which could be counted on to stop the Scots anywhere between Yorkshire and Whitehall. It was therefore absolutely necessary for Charles to find

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[1] Ed. 1649, p. 1. [2] Fall of the Monarchy, ii., p. 2.
[3] See p. 529, No. 8.

money, and he knew perfectly well that if he dissolved Parliament that would be impossible.

Accordingly, Wm. Lenthall, of Lincoln's Inn, in addressing the King on his approving his election as Speaker, with a quiet irony observes[1]:—

"Constantine the Great accounted his subjects' purse his Exchequer, and so it is; subtle inventions may pick it, but nothing can open it but a Parliament, which lets in the eye of sovereignty on the public maladies of the State, and of vigilancy for the preservation of our ancient liberties. For these we need look but a very little way back, there shall we see our just liberties graciously declared by your sacred Majesty. And the gracious expressions lately fallen from your lips make glad the hearts of your people, so that we more than promise ourselves free consideration of the ways to compose the distempers of these kingdoms, and then to present them to your Royal hands for perfection. Are these the fruits we have enjoyed by Parliaments? We cannot then but wonder at that horrid invention in this place projected monstrum horrendum informe ingens, but, God be thanked, cui lumen ademptum est. Let us never forget this day's solemnization; but it is too much boldness to presume longer on your grace and goodness. Therefore, for the better expedition of this service, we humbly desire: 1. That ourselves and servants may obtain freedom from arrest of our persons and goods. 2. That we may have free liberty of speech without confinement, with a full and free debate. 3. That you will vouchsafe our repair to your sacred person upon matters of importance, according to the ancient liberties of the House. 4. That with such alacrity we may now proceed to manifest to the world that our retirements were to ensure a greater unity, and to endeavour a sweet violence that may compel—pardon dread Sovereign, the word compel—your Majesty to the love of Parliaments."

It was not now as it had been in the times of the first three parliaments, which sat respectively in the years 1625, 1626, and 1628–9, or even in the spring of this very year, which witnessed the sudden dissolution of the Short Parliament. A quarrel with Parliament in those days

[1] See vol. cccclxxi., No. 25.

had brought to the King disordered finances, and had frustrated his cherished plans, but a dissolution now would bring him face to face with absolute ruin.[1]

Within a fortnight of the assembling of Parliament we find Sir William Uvedale, Treasurer-at-Wars, thus writing to his deputy, Matthew Bradley :—

"I am commanded to let you know that the Lower House of Parliament have taken into their care the supply of the King's army, and have resolved speedily to raise money for that purpose, and in the meantime to persuade the City to furnish the King for the present; which I think will very instantly be put in execution, so that within very few days I shall despatch towards you a very considerable sum. I write thus much that you may assure the commanders that come to you for money that they are now in very safe hands and will assuredly be paid, only they must have a little patience. If it stand with your leisure, send me as speedily as you can a true state of our army, what is the settled charge monthly, for horse and foot, train of artillery, and officers of train and field, reformadoes of both nations, and all your new charges since I came away; as for example, your 5*l.* per diem to Ruthven [Patrick Lord Ettrick], and any other settled charge. This is required from me by the Parliament, and I know no way to satisfy it but by your help."[2]

When it came to be put to the test, however, even the Commons found it difficult to procure so much money as was required for the maintenance of the two armies. On the 8th January 1641 we find Sir John Conyers, Governor of Berwick, and Lieutenant-General in the army, informing the Lord General Northumberland,[3] that the troops at Stockton could not subsist any longer for want of money and forage, for on the side of the Bishopric of Durham nothing was left, and the other side would not furnish them.

"I was loth," he adds,[4] "to give any warrant because I find these times are dangerous, but I thought better to hazard it than suffer

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[1] Fall of the Monarchy, ii., p. 3.
[2] p. 257, No. 59.
[3] See p. 413, No. 33.
[4] Ibid.

the troop to perish or disband. So I directed the officers, in as civil terms as I could, to entreat the parts of Yorkshire thereto adjoining to bring them forage for their money, and what they receive without money I have ordered Bradley to pay for out of the first money that comes. Captain Vaughan was with me to-day to the same purpose about the Earl of Carnarvon's regiment, which he says is in distress, and the country too much oppressed."

The difficulties of procuring money were not altogether of a financial character, for social questions entered at this time, much more largely than they are wont, into the transactions of the City.

"Our money," writes the Treasurer-at-Wars,[1] "would have been on the way before this, for it was ready to be sent in, but for this accident. These sessions a priest was condemned at Newgate, whom the King reprieved, whereupon the City absolutely refused to send in their moneys. The issue of it will be that in a day or two the man will be hanged, and we shall have our money, which I will hasten down. I send a list of the moneys the King owes the army before November 10th, which has been delivered into the Parliament, and must be paid by them or the King."

The position of the military commanders was no enviable one, with the country on one side exclaiming against the atrocities committed by the half-starved soldiery, and the men of peace on the other protesting against the exercise of military law.

"I perceive by the relation of the Parliament," writes Conyers to Viscount Conway, General of Horse, "that you and Sir Jacob Ashley will be questioned for the rogues who were put to death for mutiny at Newcastle and Selby; yet it was done by the Council of War and not you in particular; methinks they ought to question the Council of War for it, and not you; besides, what you did you had the Great Seal for. Meantime, we are in good case that undertake business upon these terms. I would I had stayed at Breda."[2]

The Commons, having thus temporarily provided for the exigencies of the State, proceeded on their former resolution to form themselves into a number of Standing Committees to investigate and report on the several

[1] p. 432, No. 79. [2] p. 459, No. 26.

sources of abuse, and to consider the petitions which poured in from all parts of the country. The duties of tonnage and poundage, and the obnoxious tax of ship-money, were amongst the first singled out. Copies of many of the memorable speeches which were delivered in Parliament on these subjects by Grimston, Pym, Rudyard, and other popular members, will be found amongst these papers. But that which primarily occupied the attention of Parliament was the reform of the administration and the punishment of the King's former counsellors, to whom they attributed the greater part of the evils which afflicted the country; and certainly the Commons did not err on the side of leniency: not content with the dismissal of the King's ministers, they took active proceedings for impeachment against several of them. Foremost amongst these delinquents were the Lord Keeper Finch, Archbishop Laud, and the Earl of Strafford. Finch made his escape good to the Hague, Laud was committed to the Tower, and Strafford, who had come to town at the earnest request of the King, and, as was supposed, with "the intention of preferring an accu-" sation of high treason against divers members of both " Houses of Parliament,"[1] for their complicity with the Scots, was committed to the custody of the gentleman-usher, and afterwards conveyed to the Tower, while the articles of impeachment were preparing in the Commons against him.

The famous trial of Strafford commenced on the 22nd of March 1641, before the King and the whole House of Lords, who sat as his judges, in Westminster Hall; the Bishops alone being absent, on the ground that they were prohibited from taking part in criminal trials by the ancient canons of the church. For seventeen days

[1] Fragment of Manchester's Memoirs, Brit. Mus. Add. MSS., 15,567.

successively Strafford defended himself with great vigour and moderation, and used such eloquence that his judges were convinced of the impossibility of convicting him on the existing law.[1] Even country gentlemen could not help perceiving that the criminal charges could not be sustained with any show of justice.

"You say, if I observe," writes William Calley,[2] son of Sir Wm. Calley, "I shall find Lord Digby in his speech anticipates the judgment of his Majesty and the Lords, because he is persuaded they will not pass the bill against the Earl of Strafford; and why may he not thus think, since his opinion is that the Earl being now condemned will be upon a law made *à posteriori*? Neither does it savour of any other than a brain-sick phantasy or a malicious tongue that would make him beholden to Sir Walter Raleigh for the speech he made [while] in the Tower. The matter contained in it shows the contrary."

"Marry, Sir Walter Raleigh might have a prophetic spirit, and make a speech that might serve his own turn and this man's too, who by the story had it not in him (though by power, and I know not what, he abused the world's credulity whilst he was living) to leave such a testimony of his worth at the time of his death. He had imperfections, no doubt of it,—yea, great ones, and such as made the people groan, if all be true that is reported of him. But give the devil his due; he had perfections likewise, amongst which his oratory was not the least."

It has often been observed by historical writers that Strafford on this occasion displayed unwonted powers of eloquence, but I have never before met with the suggestion that the speech on the last day of his trial[3] was not his own, but an old one of Raleigh's refurbished up.

While some persons were thus inclined to detract from Strafford what really belonged to him, others with an equal inconsistency, have attributed to him what really belonged to another: no less an authority than Rushworth has ascribed to him the speeches of Mr.

[1] See p. 540, No. 27. [2] See p. 591, No. 80.
[3] See p. 540, No. 28.

Wentworth, the member for Oxford, in the second Parliament of Charles, from which it is notorious that he was excluded. By this confounding of Strafford with his namesake he has no doubt obtained more credit for the early period of his parliamentary life than he deserves, but at the same time it helped to fix upon him the character of the "great apostate." By a curious coincidence, Strafford came to be regarded in this character not only by the English but by the Scots, who were loud in their demand for his execution as the great enemy of their country. It was urged amongst the chief articles of accusation against him—That he had maliciously stirred up enmity between England and Scotland, and had designedly betrayed Conway to his destruction at Newburn, in order to make the quarrel between the two nations irreconcilable. Finally, with a view to his own security, "he had laboured to subvert the rights of Parlia-" ments, and the ancient course of parliamentary proceed-" ings."[1] How vehement the public feeling against him was is witnessed by these papers. On the 3rd of May the Treasurer-at-wars writes[2] :—

"There is money ready in the City, but none will be delivered until justice be done upon my Lord of Strafford, and this is our great stumbling block. This day there were at Westminster at the Parliament house 10,000, I speak within compass, to demand of the Lords justice against my Lord of Strafford,—citizens of very good account, some worth 30,000*l.*, some 40,000*l.*,—and do boldly deliver themselves that to-morrow they will send their servants if they do not expedite justice speedily. I assure you things are grown to a great height here, and almost every day we expect a commotion."

Letters and papers bearing on his trial will be found in this volume, including an important letter of Sec. Windebank[3] to the King, of April 16, 1641, in which he

[1] See Lords' Journal, iv., 97.
[2] See p. 569, No. 11.
[3] See p. 547, No. 37.

protests, upon his allegiance to his Majesty, that he had no recollection of such speeches by Strafford as are attributed to him in Vane's Notes.[1] A still more curious letter[2] will be found under date April 26, in which the Prebendary of Worcester, Tomkins, informs Sir John Lambe, that—

'Sir Henry Vane's deposition touching the Earl of Strafford is lost by the Clerk of the Higher House, who cannot give any account how it went out of his hands: and in a copy thereof since found great difference is found in the sense by the altering or rather by the adding of one letter "t," for whereas it was in the original that the Earl should say "His Majesty might by the Irish army reduce the kingdom *here*," &c., it is "*there*" in this copy, and so refers to Ireland only. Another paper touching Sir Henry Vane also is lost by the Select Committee of the Lower House, it lying upon Mr. Pym's table when five others were present, viz., Lord Digby, Sir Walter Erle, Sir John Clotworthy, Mr. Hampden, and Mr. Maynard, which occasioned a variance and reproaching one another publicly, every one making their several protestations of being guiltless therein. The suspicion fell most on Lord Digby, who was last in the chamber, and had said to some of them that Mr. Pym should do well to have more care of his papers than to let them lie so loose, &c. The lord protested his own innocence, and said it must be some unworthy man who had his eye upon place and preferment, wherein he was supposed to allude to Mr. Pym himself, who has been with the King twice of late, and since the Lord Cottington laid his offices at the King's feet, is designed by the voice of the people to be his successor in the Chancellorship of the Exchequer. This is but as a sub-division of the Committee, but the whole House is not without divisions."

The King himself likewise in his speech before Parliament of the 1st of May, asserted that he was not aware of any such debate, and that no advice had been tendered to him for the employment of the Irish army in England.[3]

There will be found towards the end of this volume many letters of Sec. Windebank, and of his sons and

[1] See preceding vol. of Dom. Cal., p. 112, No. 31.
[2] See p. 559, No. 74.
[3] See p. 567, No. 1.

nephews, one of the latter, viz., Robert Read, having accompanied him in his exile to France. What the exact charges against himself were Windebank appears to have been in some doubt; but public report plainly pointed to his tampering with the execution of the penal statutes against the Roman Catholics at the instigation of the Queen, and to his having conducted the negotiations with the Papal Agent, Count Rosetti.

"It is likely," writes Robert Read from Paris, to the son of the Secretary, Thos. Windebank, who was still employed at Court, "now that the Earl of Strafford is dispatched, that business will go faster, and that amongst them my uncle's [Sec. Windebank] will have its turn. What course will be taken in it I cannot judge; but I doubt not, if they make a charge, such things will be contained in it as cannot be foreseen; and I fear if somebody be not there present to make a defence or disprove them, they may be taken *pro confesso*, which may be a ruin to us all. I know nobody is able to answer but my uncle and myself; for him there is no thought of his going thither; for myself I know no reason why I should not be there. If his Majesty please to avow my uncle, I think there will be no need of other answer; but if he shall please to say he will first see the charge, there will be a necessity of somebody's being there to bring to his Majesty's remembrance the grounds and reasons upon which divers things were done, which must needs be slipt out of his memory, and besides there are divers papers and warrants to be searched out for my uncle's justification."

This was the rock on which all Charles's ministers came to grief. They all thought to shift the responsibility on to him, and if his orders could be produced they considered themselves exonerated, but the Parliament was determined not to listen to any such defence. The sovereign was not to be touched, in accordance with the old legal maxim that the King could do no wrong. But if he was to be irresponsible, responsibility must fall the heavier on his ministers. They must receive more blame than perhaps was their due, because the King was to receive less than was his. "The cry for

[1]See p. 584, No. 57.

" their punishment, in order that none might hereafter " dare to follow in their steps, waxed the louder when it " was perceived that only by their punishment, perhaps " only by their death, could their permanent exclusion " from office be made absolutely certain."[1]

Concurrently with the proceedings against the King's unpopular advisers, the compensation of the victims of their tyranny engaged the attention of Parliament, and called forth a vast amount of popular sympathy.

"It seems somewhat strange," writes Sir Wm. Calley, "that Burton and Prynne should be ushered into London with so many horsemen and coaches, but it would seem more strange if after all this noise they should be served as Leighton was, their cases being not much unlike, and be sent back to the places whence they came."

The cases of Dr. Bastwick, a physician, Prynne, a lawyer, and Burton, a minister, were fully gone into, as the documents calendared in this volume, several of which have not been before printed, show; but as they may be turned to readily by the Index, no further notice of them is here requisite. "As these were comforted," writes May, "after their sufferings, so other divines (for " the beginning of this Parliament seemed a little Doomes- " day), after a short pleasure, were brought to their " torment."[2] A committee was formed to inquire of scandalous ministers, many of whom had gotten into good preferments. These were of two kinds, loose and debauched livers, or else offenders by way of superstition, of which latter there were many, " as this way had hitherto " been the means to all high preferments." The attention of those interested in ecclesiastical matters and the operation of the Spiritual Courts may be called to the tabulated proceedings of the High Commission, which conclude in

[1] Fall of the Monarchy, ii., p. 11.
[2] May's History of the Parliament, p. 55.

this volume, the Court itself having been abolished by a companion Act to the famous Act which overthrew the ancient jurisdiction of the Court of Star Chamber, and with it the whole irregular and arbitrary practice of government that had for several centuries so thwarted the operation and obscured the light of our free institutions. It is to be regretted that there is a considerable hiatus in the proceedings of the High Commission, caused by the loss of one of the Register Books, which intervened between the second and third volumes, otherwise the series is complete. These Registers supply not only the findings of the Court in which Laud sat supreme, and many of which have been preserved in the collections of Rushworth and others, but the gradual stages by which the causes were advanced from day to day, in many cases causing the compulsory residence in town for several months and at great expense of the parties accused and of their witnesses. This of itself was an evil, but the manner in which informations were procured against obnoxious persons, especially if they were wealthy, so that large fines might be anticipated, rendered its proceedings especially odious. The severe and arbitrary character of the sentences passed may be judged of by the following entries.[1]

"John Ashton, prisoner in the Fleet.—The certifying of his fine of 200*l.* for preaching upon Toby's dog [Tobias and his dog] was respited till this day. To stand for next court day.

"John Strange.—His fine of 50*l.* for non-appearance to be certified.

"Thomas Cotton and Dorothy Thornton.—Having been four years imprisoned in Stafford Gaol for not performing their penance, paying promoter's charges, and the fine imposed to his Majesty's use, defendants petition for remission of their penance. Attachment decreed till they perform the sentence, and the certifying of their bond respited till next court-day.

[1] See pp. 379, 385.

"Henry Garrett, Will. Cobb, and others, parishioners of St. Bartholomew the Great, London.—Garrett and Cobb were decreed excommunicate for not paying the parish clerk's wages according to the Court's order, and the excommunication against them is denounced and returned to consider."

"Strange to say," observes Canon Stubbs,[1] "some part "of the mischief of the spiritual jurisdiction [claimed "by the Church Courts in Papal times] survived the "Reformation itself, and enlarged its scope as well as "strengthened its operation by the close temporary "alliance between the Church and the Crown. To this "the English Church owes the vexatious procedure of "the Ecclesiastical tribunals, and the consequent reaction "which gave so much strength to Puritanism."

What has been said of the Court of High Commission applies with even greater force to the Star Chamber proceedings, but of these there are only a few examples to be met with in this volume. One instance will suffice, which is the more interesting as it is endorsed in Prynne's hand.

"Mr. [Robert] Jason, upon the petition of two women and one man to the Council table, was committed close prisoner in the Fleet for the supposed speaking of dangerous words against the King, Archbishop, and Earls of Arundel and Dorset. After 16 weeks close imprisonment he was, upon security of 400*l.*, discharged, and bound to answer the complaint in the Star Chamber, where, after information exhibited and depositions taken, there was a proposition of agreement. The conditions were these:—Payment of 2,000*l.* to the King; 300*l.* each to the Archbishop and Earls of Arundel and Dorset, besides an engagement of all his estate to leave to St. Paul's Church 300*l.* per annum in case he died without issue, 200*l.* per annum leaving issue female, and 100*l.* per annum leaving issue male. His estate was to continue for 99 years; and this he was forced to do by the Archbishop's means before he could have his pardon."[2]

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[1] Constitutional Hist., iii., p. 374.

[2] Vol. ccccl xxx., No. 90.

Some observations concerning the Parliament were likewise made by Mr. Peirce, the Earl of Salisbury's chaplain, and Lecturer at Covent Garden, which appear to have given unbounded annoyance to Laud.

"I wish the Parliament," observed the lecturer,[1] "would reform two things, the sitting of the Council on Sunday afternoon and the having plays on Sunday night. The Lord Deputy of Ireland hastened the Parliament here, that this Parliament might be ended first, so that they might not appeal from the Parliament in Ireland to this one. That the Parliament here would begin with the Church. And assure yourself, saith the speaker, all that lost their livings for not reading the King's book shall be restored; and then named Dr. Stanton, who lost a living of 300*l.* In particular Bishop Wren would be questioned."

These notes Laud has facetiously endorsed, "He shall "be parson and names a lecturer already, and then it will "be the famousest place in England."

In conclusion, an agreeable duty remains, viz., to record the editor's obligations to those who have aided him in the work, particularly to Professor S. Rawson Gardiner, LL.D., to Sir John Maclean, and to Mr. E. Salisbury, B.A., of this office, who has assisted very efficiently in the abstracting of the documents in this volume and in the compilation of the Index.

Wm. Douglas Hamilton.

17 April 1882.

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[1] See p. 212, No. 107.

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Page

373, line 13 from bottom, for "Wm. Jones" *read* "Sir Wm. Jones."

411, bottom line, for "Northampton" *read* "Holland."

464, line 6 from bottom, for "seizment" *read* "cessment."

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DOMESTIC PAPERS.

CHARLES I.

1640. VOL. CCCCLXVI. SEPTEMBER 1–9, 1640.

Sept. 1. 1. Note of the appearances of Daniel Skinner, David Hempson, and Nicholas Budice, all of Dover, merchants, sent for by Council warrant upon the complaint of Maximilian Dancy, water-bailiff there; which appearances were entered in the book of Council causes. [¼ *p.*]

Sept. 1. Notes by Sec. Windebank of his proceedings in the King's absence. I made a despatch to his Majesty from Arundel House; sent the Queen's letter to him concerning the calling thither of the Earl of Essex, and besought his Majesty to write to the Earl himself in an obliging way. I gave him account of the Earl Marshal's diligence in raising the forces in these southern parts. I likewise wrote to Mr. Treasurer Vane acquainting him with the Earl of Essex' business. [*See vol. cccclxiv., No.* 45, *Aug.* 20. ¼ *p.*]

Sept. 1, York. 2. Sec. Vane to Sec. Windebank. By what I send enclosed from the Earl of Strafford to his Majesty you will understand the state of the army as it retreated from Newcastle, and such it is at present, [so] that nothing is to be advised but to put our army on the defensive; by which you see, let man purpose what he will, God only disposes. I have not heard that Leslie has marched since Saturday; that night he encamped 5 miles on this side of Newcastle, if not to-day, but you may be confident he will not be long still, knowing but too well the state of his Majesty's army. His Majesty commands me to tell you that my Lords should consider how to prepare a force to resist the rebels if they should pass by him and march for the south, and that they take presently order for the same, and what they will advise him, he having sent you a true statement how things are with him; of which points he expects a resolution, which you are to press, for it will admit no delay. His Majesty approves well of the staying of the officers belonging to the Marquis [of Hamilton's] forces with the Earl Marshal, to whom by command I have signified as much. I have written by his Majesty's command for Ned Norgate to come and attend the journey, and if any Clerk of the Signet's man come here when I am [in] waiting I will send him home. It is his Majesty's pleasure the master should wait and not the men, and that they shall find. He approves the orders you have given for making the Tower safe, and the Lords' care to strengthen the Earl Marshal's commission; for the Lord Admiral's packets, he would have them staid for the time past, especially since he is now conceived past all danger. For the other points in both your despatches there needs no particular answers. [*Endorsed by Windebank:* "Mr. Treasurer by Walker Received Sept. 2nd, answered 3rd." 2½ *pp.*]

Vol. CCCCLXVI.

1640.

Sept. 1, York. 3. The same to Sergeant-Major Alcott. Your letter of Aug. 31, in the absence of the Lord Lieutenant, I communicated to his Majesty, who approves your proceedings with the deputy-lieutenants for disposing of the train bands of that county, to be ready to secure it. For the arms you speak of, it is his pleasure that you issue as many of them as you can spare upon security from the gentry and others whom it may concern to see them safely restored and repaired in case of any defects. I have written to-day to the Earl of Newport at Hull to dispatch by land the ammunition you desire in as large proportion as he can, so when it comes you may let them of the county buy of the powder for their money, whereof a very exact account must be kept; it is to be issued for his Majesty's service and according to such directions as shall be sent you. I shall advertise you as soon as the ammunition sets out from Hull, that you may send 10 or 12 troopers so far as Kattering Brigg for to meet it there, and safely convey it to you, which will be very necessary in these times; wherefore you will do well to keep men in readiness to set forth according to the advertisements I shall give you. [*Copy.* ¾ *p.*]

Sept. $\frac{1}{11}$, Orleans. 4. Christopher Windebank to his father, Sec. Windebank. Has received his brother's letter and is glad the family are well. Thanks for the bills of exchange, which have not yet come. Hopes God will give the King the victory over the Scots. [*Endorsed*: "Received September 9, our style." *Seal with device. French.* 1 *p.*]

Sept. 1. 5. Notes by Sec. Windebank of public business to be submitted to the Council. An army to be in readiness here to back the King's forces in case of disaster. What money? What commanders? Whether the City may not be moved now to supply money by way of loan or otherwise? Extraordinary watches to be commanded in the City and suburbs. Whether some of the noblemen not councillors shall not be called to counsel if it be but to engage them? All his Majesty's subjects whatsoever to be commanded to take arms and be in readiness. [½ *p.*]

Sept. [1.] 6. Captain Charles Lloyd to Edward Viscount Conway. Gives particulars of the earth-works and fortifications now being thrown up under his directions for guard of the river Tees opposite Yarum, illustrated by a pen and ink map of the district with the position of the several works. [*Seal with arms.* 1 *p.*]

Sept. 1. 7. Note of officers and troops in the King's army paid up to the 1st of September and of other regiments paid up to August 18th, followed by a statement of various sums received from Mr. Gouldisbrough, the Bishop of Durham, Sir William Bellasis, and others, amounting to 22,953*l.* [2 *pp.*]

Sept. 1. 8. Certificate by Commissary-General Pinkney of bread and cheese sent by the Lord Mayor of York to Topcliffe for supply of his Majesty's army. *Subjoined,*

8. I. *Note by the Earl of Strafford. I desire Sir William Uvedale to pay the sum within mentioned to the Lord*

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Mayor [of York] and to reimburse himself out of the next pay made to the commanders by way of defalcation, and not to put it to the King's account. 7th October 1637? [1640. 1¼ *p.*]

Sept. 2. 9. The like account for bread sent to Tollerton September 2, 1640; and the remainder of bread delivered at York September 3, 1640; and of 1,000 loaves delivered to Robert Lisle, quartermaster of Sir William Ogle's regiment. *Underwritten,*

9. I. *The like direction of the Earl of Strafford to Sir William Uvedale to pay the Lord Mayor as above. 7th October* 1640. [2 *pp.*]

Sept. 2. 10. A pass signed by the Council for [John Maxwell], Bishop of Ross, to go into Ireland, taking with him his wife and family, together with his household stuff. [*Minute.* ⅓ *p.*]

Sept. 2. 11. Memorial by Sec. Windebank of the votes of the Lords in Council this day on several subjects, but chiefly whether it would be better for the King to be contented to have a general Great Council of the Peers, or to call a Parliament. [*Printed in Hardwick's State Papers ii.*, 168. 1⅔ *p.*]

Sept. 2. 12. Similar notes in Lord Cottington's hand of the votes of the Lords in Council on the question whether the King should call a Parliament or the Peers to be consulted with in a General Council. [¾ *p.*]

Sept. 2. 13. Book of notes kept by Nicholas of proceedings of the Council at their several meetings during this month. These notes state the names of the members of the Council present on each occasion, and briefly indicate the several businesses considered and the orders made. The days on which the Council sat and to which these notes refer were the 2nd, 6th, 7th, 11th, 13th, 18th, 20th, 23rd, 25th, 27th, 28th, and 30th of the present month. Amongst the notes of business transacted at the meeting at Hampton Court on the 27th September is the entry, 3rd November next appointed for the Parliament. On the cover of the book is the following memorandum: [The Lords] Exeter, Bedford, Hertford, Essex, Rutland, Warwick, Bolingbrook, Montgomery, Say and Sele, Mandeville, Howard and Brook, this was concluded on the 28th of August 1640. [68 *pp., of which* 26 *are blank.*]

Sept. 2. 14. Order of Council, requiring the Attorney General to prepare a commission to be directed to the Archbishop of Canterbury, Lord Keeper, Lord Privy Seal, Earl Marshal, Lord High Admiral, Earls of Dorset, Salisbury, Bridgewater, Danby, Berks., Newcastle, and Cork, Lord Viscount Wilmot, Lord Cottington, Lord Newburgh, Mr. Comptroller, Sec. Windebank, Sir Thomas Roe, Lord Chief Justice Littleton, and the rest of the Council who shall not attend his Majesty in the north, authorizing them, or any six or more of them, whereof the Archbishop of Canterbury, the Lord Keeper, Lord Treasurer, Lord Privy Seal, the Earl Marshal, or Sec. Windebank to be one, by all

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good ways in his Majesty's absence to provide for the safety of this his kingdom and people, in the same form, *mutatis mutandis*, as it was drawn up at his Majesty's going into the north in 1639, and with like power to them to hear all matters touching the levies of the money and other occasions in the shipping business as was granted by the former commission. *Underwritten,*

14. 1. *The Lords must resolve your query touching Mr. Secretary Coke. Sir Thomas Edmonds was named in the last commission after he was removed from being Treasurer of the Household. This order to be presently entered and sent to my Chamber, for the commission is ready.* [1 *p.*]

Sept. 2. 15. Order of Council to the Lord Chamberlain of the Household to suspend John Wray, a messenger of the Chamber, from the execution and benefit of his place till further order, for neglect in the execution of his place [8 *lines.*]

Sept. 2. 16. Order of Council. By order of the Board of August 26 last the Officers of the Navy were required to hasten away 12 ships, appointed to transport victuals from London, to lie without the bar at Tynemouth. Forasmuch as Newcastle is now possessed by Scotch rebels, it was this day ordered that those of the said ships yet unsent shall now go for Hull and ride thereabout in some secure place till the [Earl of Strafford], Lord Lieutenant General of his Majesty's army, shall be advertised of their arrival there, and give order for disposing of the victuals [½ *p.*]

Sept. 2, York. 17. Sec. Vane to Sec. Windebank. His Majesty has signed the bill to the Lord Admiral which I herewith return you. His Majesty's army lies to night at Tollerton, 8 miles from York; tomorrow it will be here, where we shall be obliged to put ourselves on the defensive till his Majesty can gather his forces together. The rebels encamped last night at Chester-street, 6 miles this side of Newcastle; my opinion is they will come on. P.S.—You will hasten this to her Majesty because it is by his Majesty's command I write. The directions for sending down the officers were sent before his Majesty knew the Earl Marshal desired them, but by Mr. Walker you will understand he is pleased you should keep as many of them in the south as you find necessary. [*Endorsed:* "Received [Sept.] 4, at 3 in the afternoon; answered 4th." 1 *p.*]

Sept. 2. Notes by Windebank of his proceedings in the King's absence. I dispatched to his Majesty by Sir Harry Hungate; sent a letter from the Queen, a paper of considerations, and a letter from Windsor. I gave account of the advice of the Committee [of Government] and of the Council Board concerning the calling of the Peers: of removing the powder in the Tower to the other side of the Thames and to Portsmouth; of the Lieutenant of the Tower's discontinuance and the calling him to his Majesty; of 15,000*l.* sent by Sir William Uvedale; of 2,000 pairs of shoes. I wrote then to Mr. Treasurer [Vane] to the same effect. [*On same paper as Aug.* 20. *See vol. ccccixiv., No.* 45. ½ *p.*]

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Sept. 2, Conway. 18. Robert Davies, escheator of co. Carnarvon, to Lord Treasurer Juxon. Most part of the ship-money in the sheriffwick of the sheriff of co. Carnarvon is already paid; the rest is in hand and shall be with all diligence paid, or you shall be rightly informed where the fault is. [*Seal with device.* ½ *p.*]

Sept. 2, Berwick. 19. Sir John Conyers to Edward Viscount Conway. I thought to have waited on you myself within a few days by order from the Lord Lieutenant [of Ireland], but have to-day received a command from the King which will stay me here some time. I had thought to beat the Scots at Dunse, and to that end marched out with our horse and some musketeers and firelocks on Saturday night last; but although I had shut the ports before anybody was made acquainted with the business, saving Sir Michael Ernley and myself, yet they had intelligence of us, for their beacons far from us were fired before we had marched an hour. Yet we went on and had done what we went for had not our men behaved as I hear yours did when the Scots came over the Tyne; for on our first volley divers Scots cast down their arms and were running away. Three horses of my Lord Wentworth's were killed by their cannon, and one man killed with a musket I think by our own men, besides one hurt. They followed us long but never came within a mile of us though we marched very slowly. I hear they make a great assembly at Dunse and towards these bounds, and that 3,000 or 4,000 are marching back from Newcastle in small parties towards Northumberland. I doubted Holy Island and therefore have secured it by sending more men into it, but the vulgar say they intend to besiege us here; if they come hither I think to give them work for a good while. On Sunday night last the Earl of Haddington and [a relative of the] Earl of Marr [Colonel Alexander Erskine, second son to John second Earl of Marr, late Lord Treasurer of Scotland], the Lairds of Readhouse, Enderleigh, Anderwick [Innerwick], and Perstone, both these last Hamiltons, Sir Alexander Hamilton, uncle of Lord Home, Sir Gideon Baylie [Balzie], and many principal gentlemen of Lothian, to the number of 120, were blown up with gunpowder in the Earl of Home's house at Dunglass; as also Preston, a minister, who had been that morning at Dunse when we were there, and made so much haste to carry the news of our retreat to the Earl of Haddington that he would not speak with any on the way and was but newly alighted from his horse when he was blown up. Lord Haddington and most of the company were standing in the court and were beaten to pieces with the stones of the house; he was pulled out yesterday from under the stones, the others will not be got out this fortnight. Sir Gideon Baylies has one leg struck off, so that he lives but cannot escape; he was in a field a good way from the house. There was 10,000 [Scotch] marks worth of powder in the house. [I am sorry] to hear of Mr. Wilmott's mischance [and of Major] O'Neale's death; he owed me 33*l.*, for which I have his hand; I would you would help me to a good horse of his or some [other thing] for it. I sent you awhile since two blanks for receipt of some money for me: I desire only to know if they came to your hands. [*Very much damaged by damp.* 3 *pp.*]

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Sept. 2, Trinity Hall. 20. Dr. William Roane to [Sir John Lambe]. Dr. Eden has resigned Gresham College lectureship to Mr. Thornton, a master of arts of 3 years standing, and fellow of Trinity Hall, his favourite. Clare Hall Fellows petitioned his Majesty for and obtained a free election of a successor to Dr. Paske, who is still living at Canterbury being their receiver or treasurer for the church. Dr. Wiseman was at Sarum endeavouring to succeed Dr. Lyn, but prevailed not; either Dr. Zouch or Mr. Hide, a student of Christ's Church, Oxford, son of Sir Laurence Hide, of Sarum, will have it. Yesterday came very sad northern news, that Leslie has marched to Newcastle with 2,500 Scots, and taken the town, which much opposed their entrance, although they pretended they would hurt no man, woman, or child but only pass to petition his Majesty, and there were some Scots first slain, then Sir John Suckling, Sir John Digby, and many others were slain by them, whereupon coals have risen in price here. This news came from the post who passed through Huntingdon last Monday. Sept. 22 or 23 may fit well for a Court at Biggleswade if you please. Mr. Jeremy Stevens desired to have notice when a Court would be kept there, and I conceive he intends to be present, but of that as you please. I'll give him no notice, but since you have displaced Mr. Vaughan I know not how to get a notary. Mr. John Whitaker or Mr. John Trott or James Whitaker, who live near Biggleswade, may be used, or whom else you please. If you write your commands herein I shall soonest receive your letter from London; for by Bull, the carrier, it will be a fortnight coming hither; but if you send on Monday to London it may be here on Friday following, unless some from you come to our approaching fair at Sturbridge. [*Endorsed by Lambe:* "Dr. Roane, 2nd September 1640." 1 *p.*]

Sept. 2, Peterborough. 21. Bishop Towers, of Peterborough, to the same. I have given institution to your clerk upon your presentation. He can tell you what dismal reports are brought us by the postmaster of Stilton, that the Scots have taken Newcastle and Durham, and I fear they are too likely to go on without resistance. We are here in their road if God be not pleased to put His hook in their nostrils; but what are we to the common danger! I received from his Grace of Canterbury the canon concerning the contribution only on Saturday last, so I had not time to appoint my collector and certify his Grace before the 1st of September, but I have written to Mr. Dell to tell his Grace I have received 40 books and dispersed them into my several deaneries; and to crave his leave till next week for certifying concerning my collector, when I shall not fail. [1 *p.*]

Sept. 2, Windsor Castle. 22. [Dr. Christopher Wren, dean of Windsor, to Dr. Dell]. A passage has happened not far from here which I think very fit to acquaint you with and desire you, as you see occasion, to represent it to my Lord's Grace [of Canterbury]. I told you Mr. Owen had conferred the vicarage of Wragsbury on a friend of his, at that vicarage last Thursday night were brought in three brave horses fit for service, at midnight; and carried away the next night about the same hour,

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no man knows whither. The man that received them was servant to Mr. Maxwell that keeps Windsor Park. The vicar who then lay in the house, though they little thought it, saw them both come and go. In these distracted times we can scarce be too suspicious. By the Bishop of Chichester's advice I have acquainted the Earl of Newcastle with it, and he tells me plainly he imagines there is some plot about surprising the Prince, like Lord Cobham's about King James; and that it were fit I acquainted his Grace with this, and leave further search to him. The defeat of the King's horse and the surprise of Newcastle have made the Scots here so insolent, it is not to be imagined what words have passed some of them; those of our society are miserably cast down, if you have any good news that may erect us again I pray impart it. [*Signature torn off.* ½ *p.*]

Sept. 2. 23. Examinations and certificate taken in August and delivered in by the Earl of Salisbury the 2nd of September 1640, touching Edmund Aylee, of Bishop's Stortford, glazier, charged with being captain of the unruly soldiers who pulled down the altar-rails in co. Herts. [5 *pp.*]

Sept. 2. 24. Information sent to Sir John Lambe, Dean of the Arches, of the names of those that convented at Kettering, co. Northampton. [1 *p.*]

Sept. 3. Commissioners for Gunpowder to the Master of the Ordnance. Warrant to deliver 40 barrels of gunpowder for a store for the Company of Grocers. [*Minute, see vol. cccl v., No.* 61, *p.* 13. 5 *lines.*]

[Sept. 3.] The like to deliver 12 barrels to Jaspar Selwyn, of Threadneedle-street, grocer. [*Ibid, p.* 13. 3 *lines.*]

[Sept. 3.] The like to John Freeman, of London. [*Ibid.* 2½ *lines.*]

[Sept. 3.] The like to Robert Smith, of Tower-street, chandler. [*Ibid.* 2¾ *lines.*]

Sept. 3, The Court at York. 25. The Earls of Strafford, Holland, and others at York to the Privy Council in London. Whereas his Majesty for repelling the traiterous invasion of his rebellious Scotch subjects is now at York with his army, on the safety whereof the welfare of the whole kingdom in the highest measure depends; and whereas his Majesty out of his royal care for preservation of his army has taken the best means to have it furnished with all manner of provisions out of this and adjacent counties, yet lest the victuals these counties furnish may not be sufficient fully to supply the wants of so great a number, being reinforced by the trained bands of Yorkshire and other counties, we therefore pray you, in the most effectual manner we can, to give immediate order that the victuals provided for the Marquis of Hamilton, and still, as we conceive, remaining at London, may with all possible speed be sent to Hull. And that you would further straitly inhibit any corn, butter, cheese, or other victual to be transported out of the realm or from port to port within this

kingdom, but that you forthwith order it to be sent to Hull, where the owners shall receive just payment for it in ready money, and be secured that neither they nor their goods shall suffer the least prejudice; but by all manner of good usage be encouraged continually to repair thither. And we pray you to move the Lord Admiral that some ship may be sent to remain near that place for the better security of such as shall bring their commodities to be sold there. So praying you in a business of so great importance to use your speediest care, we bid you heartily farewell. [*Endorsed by Windebank:* "The Lords at York to the Lords here." 1½ *p.*]

Sept. 3, Whitehall. 26. Warrant of the Council to all Mayors, Sheriffs, Postmasters, &c., to furnish Edward Nicholas with able post-horses for himself and two servants on his journey to his Majesty at York and back. [*Draft.* ⅔ *p.*]

Sept. 3, Whitehall. 27. Warrant of Sec. Windebank as Master and Comptroller General of the Posts to the same, to furnish Edward Nicholas with four able post-horses and sufficient guide from stage to stage, on his journey to the Court at York and back; he paying the usual rates for the same. [*Seal with arms and crest.* ⅔ *p.*]

Sept. 3. 28. Considerations presented to the King by the Lords of the Committee [of Government in London] in compliance with his Majesty's commands expressed in Sec. Vane's despatch of Aug. 30, 1640, touching that which should be advised with all expedition for the safety of the kingdom. With marginal notes by the King. 1. The calling of all the Peers to a General Council to advise upon the resisting of this dangerous invasion. [*Margin*: "It is thought most fit."] 2. How this General Council shall be called, whether by a minute of his Majesty's own letters to every particular person, or by some other signification from the Lord General by the King's express directions under his hand, or from the whole Board. [*Margin:* "According to ancient precedents, which is, by writs under the Privy Seal, as I am informed; if I miss, my Attorney will rectify the form, to whom I refer you."] 3. Where this meeting shall be, viz., the day and time, which they think should be with all expedition. [*Margin:* "The 24th September, at York."] 4. Where the Lords shall assemble, at Whitehall, or elsewhere. 5. Whether his Majesty will be pleased, and his affairs permit him to be present at the meeting, which is thought fittest to be at London. 6. Whether the Lord Mayor shall be called or a latitude left to the Lords to call him if they think fit. [*Margin:* "These three are answered by the third."] *Endorsed by Sec. Windebank:* "Considerations of the Committee to his Majesty concerning the calling of the Peers." [1 *p.*] *Underwritten in the King's hand,*

28. I. *I command you to use some of those blanks for the calling of this Great Council of the kingdom as Mr. Attorney shall advise for the form.*

Sept. 3. 29. The same, without notes. [*Endorsed by Nicholas*: "My instructions to speak with his Majesty at York." *In Nicholas' hand, but signed by Sec. Windebank.* ¾ *p.*]

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Sept. 3. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty by Mr. Nicholas who carried a minute of a letter to be signed by his Majesty to the Earl Marshal for calling the Lords. I wrote likewise about strengthening Hull and Portsmouth; and gave many reasons as motives of the advice of the Committee to his Majesty for calling the Lords. I wrote to Mr. Treasurer to the same purpose, to the Marquis [of Hamilton] and to the Duke of Lennox. [*See Aug.* 20, *vol. ccccIxiv., No.* 45. 7 *lines.*]

Sept. 3, York 3 a.m. 30. Sec. Vane to Sec. Windebank. Neither Montrose nor any of quality of the Scots' army was killed, but the Lord of Legg [Logie] who married the Earl of Roxburgh's daughter; they buried him in their quarter. They are encamped on the hill on Gateside; but the principal lodge in Newcastle. They will certainly make forts on the Tyne to command the river and make Newcastle fast. They have given order to brew and bake at Durham, which is an argument they will not lie still after they have made provision for their army. Our soldiers have suffered much for want of bread, but I hope better order will be now taken. The Scots have taken many of our arms which both horse and foot cast away when they began to run, and 50 of our troopers' horses, of which they brag much, as of our retreat to York. It is now so early in the morning I can scarcely keep my eyes open; acquaint her Majesty with this despatch for I have no time to write. [*Endorsed:* "Received 5th, in the morning, by Lord Goring's servant; answered 6th." 2 *pp.*]

Sept. 3, York. 31. The same to the same. His Majesty being much displeased that we yet hear nothing of those surgeons who have received their money, and were appointed to come and wait in the army, has commanded that you shall send to them to require them to hasten hither with all speed. [*Endorsement same as preceding.* 5 *lines.*]

Sept. 3. 32. William Evans, escheator of co. Glamorgan, to Lord Treasurer Juxon. On 14th of August last I received your letter and went the same day to the sheriff, John Carne, who affirmed that the whole of the ship-money imposed on this county has been paid in, except 60*l.* imposed on the Corporation of Cardiff, touching which his Majesty's special writ was directed to the Bailiffs of the Corporation, whom I thrice attended, and who now tell me that most of it is levied and they will pay it all in by October 1st, as by the Proclamation for payment of ship-money in arrears is required. [$\frac{3}{4}$ *p.*]

Sept. 3, Bryn a Mynin. 33. Howell Howell, escheator of co. Carmarthen, to the same. On receipt of your letter I addressed myself to the high sheriff and studied to find out why the ship-money has not been returned; it is the slackness of some few. The most part having already paid, the residue will be recovered on the getting in of this harvest, so that by Michaelmas all will be in readiness, when I shall not fail to put the sheriff in mind speedily to return it to the Exchequer. [*Seal with device.* $\frac{1}{2}$ *p.*]

Sept. 3. 34. Information of Andrew Kipping, a physician, dwelling in Dr. Browne's Court, in the little Old Baily, narrating a conversation he

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1640. had with Crichton, the Bishop of Ross' servant, on the 2nd September at the "Three Cranes," in the Old Baily. He told me the Marquis of Hamilton was the archest traitor that ever betrayed any king, or that ever would be whilst the world should endure; and this he said he would aver if he were to be torn in a thousand pieces; if he should set down all the presumptions he had of it he could fill a quire of paper. Amongst many he named these, that when Lord Loudoun was committed to the Tower he had recourse to him and had private conference with him, and procured of the King first that he might have the liberty of three or four rooms, then of the whole Tower, afterwards he brought him to kiss the King's hand, and to be sent into Scotland with a commission to seek to reduce the Scots to obedience; that afterwards he had a private conference with Lord Loudoun, being locked up with him in a chamber at Whitehall from 2 o'clock in the morning till four at night. That when he was in Scotland last year he told the Lords he had no commission to fight, which he said was a sufficient intimation to them, and that the Lords had daily, I think he said private, conference with him. That he has more treasure than the King has or could have, if a Parliament should grant him their largest benevolence. That he courts his Lord [the Bishop of Ross] for fear he should discover him to the King. That if all the Scots had been banished the Court, Scotland had long ere this been brought to obedience. That the Earl of Traquair is a dangerous Covenanter. That the Lord Marquis [Hamilton] lays claim to the Crown, notwithstanding that, besides the King's children, the Prince Palatine be nearer in blood than he. That a Covenanting minister, [one] of the most eminent in Scotland, came to two anticovenanters, brothers, and said—Gentlemen, what do you mean? He whom you rely on is no more than a staff set up in the way, and him you think so much for you, you will find as much against you, and the greatest politician in the Christian world. Also he told me the Marquis has scouts abroad to hear what men say of him, fearing to be discovered. [*Endorsed by Windebank*: "This discourse was held by a servant of the Bishop of Ross to Mr. Kipping the 2nd September 1640, at the 'Three Cranes,' in the Old Baily. This servant feigned himself servant of the Earl of Traquair when he first became Mr. Kipping's patient, but afterwards discovered himself to be servant of the Bishop of Ross. He concealed himself, as he said, because he was not willing a clergyman's servant should be discovered to have the foul disease he had." 2⅓ *pp.*]

Sept. 4. 35. Bond of George Petre, Raphael Davis, and Thos. ap Hugh, in 1,000*l.* to the King's use, conditioned that he, George Petre, will not convert a mansion now being built at his expense in Holywell, co. Flint, to and for a place of meeting or devotion of Roman Catholics, nor suffer any private conventicles whatever to be kept in it. [*Latin. Strip of parchment.*]

Sept. 4. Warrant to Robert Smith, a messenger, to bring Nicholas Harman, of Northampton, before the Lords Commissioners for Saltpetre and Gunpowder. [*Minute. See vol. ccxcii., p.* 122.]

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Sept. 4. Warrant to the Exchequer for payment of 600*l.* to Sir Richard Wynne, Treasurer and Receiver General to Queen Henrietta Maria, for her Majesty's private services without account. [*Docquet.*]

Sept. 4. Warrant to Bishop Hall, of Exeter, collector of the tenths due to his Majesty from the clergy within that diocese, or to the collector for the time being, to pay to William Murray, Esq., one of the Grooms of the Bedchamber, 1,000*l.*, advanced by him upon the said collection; also a warrant to the Exchequer for payment to him of interest thereon at 8 per cent. per annum. [*Docquet.*]

Sept. 4. Warrant to the Earl of Northumberland, Lord Admiral, to cause all the cables and anchors aboard the colliers and praams which were taken up for transport of victuals and beer provided for 5,000 landmen for six months, which vessels are now by order to be discharged, and also a good quantity of beer, water-cask and victuals provided for the commanders of these landmen to be forthwith sold and the proceeds to be disposed towards payment of the discharged vessels. [*Docquet.*]

[Sept. 4.] 36. Petition or Supplication of the Commissioners of the late Parliament and others of his Majesty's subjects of Scotland to the King [sent by Hugh Cathecart, 2nd Sept., and delivered on the 4th Sept. *Printed in Rushworth iii.*, 1256; *Balfour ii.*, 394; *Burnet, Memoirs of the Dukes of Hamilton*, 175; *Spalding i.*, 231; *and Records of the Kirk by Peterkin*, 300. *Copy.* 1¾ *p.*]

Sept. 4. 37–41. Five other copies of the above.

Sept. 4. 42. MS. Entry Book, chiefly occupied by the correspondence between the Scotch Covenanters and the King, extending from 4 Sept. to 16 October 1640, including the negotiations for the treaty of Ripon. All these papers will be found calendared under their respective dates. The first entry is the above calendared petition of the Commissioners of the late Scotch Parliament. [96 *pp., of which* 13 *blank.*]

Sept. 4. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to my Lord Marquis Hamilton, and directed a packet to him that was sent me from Lord Cottington. The same day, the Queen sending letters to me to be sent with speed to the King, I despatched them to Mr. Treasurer Vane, and wrote to him what had passed in Council concerning the stay of the Writs of Escuage; the Lords' opinion concerning the raising of an army here; and concerning the respiting of the Proclamation for sale of gunpowder at 12*d.* the pound, 60 lasts of powder removed to Portsmouth, and the distributing of the rest into other places of the Tower; the City's raising their 6,000 trained bands to 12,000. [*See Aug.* 20, *vol. ccccl xiv., No.* 45. ½*p.*]

Sept. 4, Whitehall. 43. Notes by Sec. Windebank of the proceedings of the Council and Committee. We hear the Lords have a purpose to supply the King in a more ample way, and therefore that the writs be stayed until the King's pleasure be further known concerning the Writs of

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Escuage; the Proclamation being already gone out and binding in law. To send to the Lord Admiral that the seas be guarded extraordinarily now that the French have so great forces. The Earl of Leicester to be written to. Nothing can be done for raising an army here without money, and until his Majesty shall have sent a resolution to the former proposition. Whether the resolution hold that gunpowder shall be sold for 12*d.* the pound and the Proclamation go out accordingly, which the Lords have doubted on Mr. Treasurer Vane's letter to the Lord Treasurer. To write to the Earl of Newcastle to know what becomes of him who said he would kill the Prince, and that an account may be given of it next Sunday at Hampton Court, and the party to be brought thither in safe custody, and in the mean time none to speak with him. That the Lord Admiral be desired to take care that the King's ships in harbour be safe against any surprise. Sixty lasts of powder to be carried to Portsmouth, the rest to be divided among the other towers in the Tower and none to be left in the White Tower. Instead of 6,000 the City will furnish 12,000 men [1⅓ *p.*]

Sept. 4. 44. Order of Council. Sir John Jennyns, K.B., having shown great remissness in the exercise of his office of justice of the peace in Herts., in apprehending certain soldiers that had committed great profanation and riots in churches and otherwise in this county, was sent for by warrant from the Lords. Now as Sir John was this day convented before the Board, and on examination found very faulty, and no way able to justify [refute] the charge brought against him, it was therefore ordered he should stand committed to the Fleet, there to be detained till he shall have given good security before the Attorney General for his appearance in the Star Chamber, there to answer such information as the Attorney General shall find cause to exhibit against him for his offence. And it was also ordered that the charge against him shall be sent to Mr. Attorney, who is prayed to send for him and examine him punctually thereupon, and to give speedy account to the Board of his proceedings therein, together with his opinion concerning the same. [*Draft.* 1¼ *p.*]

Sept. 4. 45. The like. It was this day ordered that the information of James Deane and Margery Hampton, of Ruislip, Middlesex, against Henry Wheeler, now prisoner in the Fleet, should be sent to the Attorney General, who is to send for Wheeler and examine him thereupon and return the same to the Board with his opinion of the business. [⅓ *p.*]

Sept. 4, Birk[en]head. 46. Thos. Powell, sheriff of Cheshire, to the Council. Whereas I was required by yours of Aug. 4th to take good bond of George Edgley, one of the head constables of Nantwich Hundred, to appear before you the 23rd of the same, I was unable to do so because I did not receive your letter till Aug. 18, the delinquent being also, as he alleges, subject to an infirmity preventing his travelling so far without longer time. I required his appearance before you on September 5th, and he absolutely refused to enter into bond to appear on that or any other day, saying he would gladly receive his pun-

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ishment in the country. This, his refusal, I certify you with a particular of the crime I charge on him. [*Seal with arms and crest.* ½ *p.*] *Enclosed,*

46. I. *The charge of the sheriff against Geo. Edgley for refusing to go on the ship-money service or to distrain for it, and when brought up to enter bond for his appearance before the Council he refused and was committed.* [1 *p.*]

Sept. 4. 47. Robert Holte, sheriff of Lancashire, to the same. According to his Majesty's writ and your letters for levying 4,000*l.* ship-money in this county I assessed every hundred, and made out precepts to the high constables to assess every township, and then for particular assessments on every inhabitant. The levying of it was performed in part, and I paid to the Treasurer of the Navy 1,319*l.* 3*s.*; and then certified you the reasons why I could not get in the residue. Since, with much ado, by myself and servants I have, by distresses and otherwise, levied and paid to the Treasurer of the Navy 1,128*l.* 19*s.* 1*d.*, and am still endeavouring all I can to get in the residue, but from the backwardness of the people and other impediments, and the present troubles in the country, I am fearful I shall not be able to do such service therein as I desire. [*Seal with arms and crest.* 1 *p.*]

Sept. 4, Ipswich. 48. John Aldus, bailiff of Ipswich, to Sec. Windebank. There came to my hands to-day a printed information from the Scotch nation, originally found lately at Newcastle, by a seaman of this town; when I perceived its contents, tending so much to the dishonour of his Majesty, scandalising his just proceedings with that nation, and inducing a dangerous invitation to join with them in their rebellion, I thought it my duty, according to his Majesty's Proclamation of 30th of March last, to send you the information enclosed. [*Seal with arms and crest.* ½ *p.*]

Sept. 4. 49. Stephen Boughton to Robert Read. Mr. Day and myself join with Mr. Aston in his suit to Mr. Secretary [Windebank] that our neighbour Lingham may not have leave to raise his wall to build sheds to the prejudice of his neighbours, but that he may keep the height of the old wall and then do what he pleases within his ground if the Commissioners for Buildings think fit to give him leave. For the present the work he intends gives an example to the owner of the great house which Mr. Griffin built, to build up a low wall that is before all our windows to hinder us both from air and prospect. [1 *p.*]

Sept. 4, Baldwin's Rents, near Gray's Inn. 50. John Lanyon to Sergeant-Major George Shaw. On the 22nd of August I arrived at London, where I find all things in a miserable condition, one man banding against another and all discontented. The Scots entered this kingdom the 26th of August and have marched in a body of 26,000 horse and foot as far as Northallerton. We hear they took Newcastle and Durham and have taken up on bond at Newcastle great sums of money, but have not, as far as I

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have yet heard, made any great spoil of the country, but still march towards York, bewitching the people with fair words, so that hitherto they have found no great resistance. Their passage of the Tyne unsuccessfully resisted. The King is now at York, his army not far from him, and I hear not of any intrenchments yet made by them, which if they do not suddenly do I believe the Scots may come directly for London. I fear the State has been very ill advised, for we have neither money nor hearts to maintain a war, and have drawn our enemy into the heart of our country; I fear they will put us to evil conditions ere we get them out. Concerning your adventure with me, I have brought all things safe with me, but here is not at present any money for any commodity, although such commodities are very much wanting. I wait the first opportunity to put them off, though but with reasonable gains, for money is better than wares in this age. Mr. Endymion Porter and most of your friends are at York with the King, where I shall be as soon as I receive my pay for my last journey. [1 *p.*]

Sept. 4. 51. Note of the falling away of two ships, the Maria, of Lubec, laden with 23 bridge boats furnished with six carriages for the small boats; and the Flying Hart, master William Hutchings, with timber, boards, cordage, and anchors, which fell off two days ago and lies now at Redriffe [Ratcliff]. Giles Baker and John Ridge, two shipwrights that were pressed, dwelling on the Bankside, are not to be found. [½ *p.*]

Sept. 4. 52. Note by Edward Fenn of what ship-money has been paid in this week to the Treasurers of the Navy upon the writ issued in 1639, viz., by the Sheriff of Suffolk, 100*l.*, and by the Sheriff of Montgomery, 80*l.* Total, 180*l.* [¼ *p.*]

Sept. 5, Court at York. William Earl of Lanerick to the Scotch Covenanters, communicating the King's answer to their petition. [*Printed in Rushworth iii.*, 1256, *and Burnet, Memoirs of the Dukes of Hamilton*, 176. *Written on the same paper as Sept.* 4. *See No.* 36. *Copy.* 1 *p.*]

Sept. 5. Six other copies of the same. [*Ibid. See Nos.* 37–42.]

Sept. 5. 53. Petition of Edward Elrington to the Council. Petitioner is among those his Majesty, by proclamation, has lately commanded to be in readiness at Newcastle at or before the 20th of this September, if they shall not otherwise make use of his princely favour by such composition that the service may be performed by others in their absence. Petitioner has been ever forward to serve his Majesty in his life and fortune, but is now no way able to perform this willing obedience, and is forced to crave your assistance, because all his lands being of the value of 600*l.* per annum, have been extended these two years for 4,000*l.* debts of another man, and so is unable to maintain law suits for recovery of divers great sums of money due to him; one whereof is a debt of 500*l.* and upward due from Ambrose Jennings, an ironmonger's son, of London, disbursed for his advancement in marriage and for food, clothes, and lodging; which

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500*l.* with his life petitioner tenders in his Majesty's service. But because of his inability and the shortness of the time he is forced to crave this favour that you would command the said Jennings to attend you at a certain day, and to make such payments of the 500*l.* as you think fit. [⅔ *p.*]

Sept. 5, York. 54. Sec. Vane to Sec. Windebank. As his Majesty was this day in Council Sir Henry Hungate arrived, when he was in debate with the Lords what answer to make to a petition sent down to his Majesty signed by 12 Peers, and presented by Lord Mandeville and Lord Edward Howard. [*See Aug.* 28, *No.* 16.] The answer I enclose, which his Majesty will give himself to the two Lords tomorrow. The names of the Peers that signed it you shall also receive enclosed. The petition consists of many points and is very high, and concludes with humbly desiring his Majesty in a short time to call a Parliament. As his Majesty was in consultation Hungate was called in, and presented his despatch with your advice for calling a Council of the Peers, which had been in consideration with the Lords who attended then his Majesty about this petition. The result was that an assembly of Peers was resolved on, as the Lords advised, to be held at York the 24th of this month. It is the King's pleasure that you declare so much to the Lords, and that yourself, the Lord Keeper, Privy Seal, and Chief Justice Littleton, calling to you Mr. Attorney, advise of the way of summoning the Peers. Sir John Borough being called in to inform his Majesty what the precedents where in such cases, declared that it was by Privy Seal. And because time should not be lost, the kingdom being in such danger, his Majesty has commanded me to signify to you, as he tells me he writes to you himself, to use one of the blanks in your custody to give power, by the broad seal or otherwise, to grant privy seals in such manner as the Committee shall advise; and it is more than high time something should be done to settle the distempers with you in the south, which the rebels expect should every day break out, but I trust God and his Majesty's wisdom will prevent it, though the matter grow very combustible and universal. His Majesty has now the trained bands of Yorkshire joined in an army of 25,000 foot and 2,500 horse; God send us but hearts and hands to stand our ground, that we may recover the honour of our ancestors, which I am sorry to live to see thus exposed to scorn and infamy. You shall receive herewith a letter from the Lords here to the Council at London [*see Sept.* 3, *No.* 25], to take care for provisions, for having such an army together Yorkshire will not feed us, and therefore we must expect the Lords' assistance out of the south. I send you your bills signed, and the names of such as shall at present attend the Council at London by his Majesty's appointment when the Peers assemble at York. By my Lord Goring, whom his Majesty sends with this despatch, you will understand better the state of his Majesty's affairs than I can express. P.S.—His Majesty thinks not fit to leave his army, and therefore it is not to be hoped you should see

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him suddenly in the south, unless we first see conclusion of this unhappy business, of which I see no appearance, and my opinion is that Leslie will march forward in a few days. His Majesty will write three words to the Archbishop of Canterbury, leaving it to his choice whether he will stay at London or come to York. [*Endorsed:* "Received by Lord Goring Sept. 6." 3 *pp.*] *Enclosed,*

54. I. *Names of the* 12 *English Lords who subscribed the petition to the King.* [*See Aug.* 28, *vol. cccclxv., No.* 16.]

54. II. *The King's answer to the Peers' petition.*

54. III. *Names of the Councillors who are to remain at London by his Majesty's appointment to attend the Council there.*

Sept. 5. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to the Lord Marquis Hamilton by Sir James Lochart and sent him the Archbishop of Canterbury's letters to the King and the Lord Marquis; and delivered my opinion for avoiding the meeting of the two armies as much as may be. [*See Aug.* 20, *vol. cccclxiv., No.* 45. 5 *lines.*]

Sept. 5, Ludlow Castle. 55. John Earl of Bridgwater to Sec. Windebank. On receipt of the Earl of Arundel's letter of the 27th of last month I despatched my letters to the several counties within my lieutenancy, and yesterday some of my deputy-lieutenants coming I delivered to them my letters for pursuance of the directions sent me. I pressing the necessity of the present service, they gave me account that on my former letters to them, they have been very diligent in executing the directions given, and will still endeavour to expedite the service. I doubt some ill spirits have walked in divers places of my lieutenancy since I left last year; yet what I may effect shall not be left undone; but many parts of my lieutenancy are far remote from Ludlow, and over the mountains we are forced to use foot-posts to convey letters, finding by experience they despatch the business with more certainty, and, it may be, as much speed as the horse posts. It is feared much that when all the trained bands are gone out of the country some mischief may happen. I tell such that imminent dangers must be provided for first, and there would be much less cause for those fears, if my private advice heretofore, or the former directions of the Council, had been better followed. Yet it were not amiss, that I might understand something of the resolution or intention thought upon for the better preventing of mischief, which may ensue. To speak truth I live here with such intelligence I do not know what to think. If the sad news lately come hither of the taking of Newcastle be true, I cannot sufficiently wonder that I have not ere this heard of it from better hands, and if it be false, which I heartily pray for, yet in my ignorance I shall make some use of it to excite all sorts of people to be more willing to arm, to prevent the great and approaching danger. I pray to be not altogether made a stranger to such things as may be convenient, and perhaps necessary for me to know. Upon conference with some of better experience in military actions than myself we are

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all at a stand when we confer touching the ordering of the men and officers, in respect of those yet unsatisfied doubts which I acquainted you with in my last. I pray find some time to write, the better to facilitate his Majesty's affairs in these parts. [*Endorsed:* "Received [Sept.] 7, answered 9th." 3 *pp.*]

Sept. 5, London. 56. Sir Thos. Roe to the same. I am informed by a good hand this morning that great numbers of Scots have newly come to this town; not of those that should repair to the King, but others that daily arrive; who have had divers meetings and consultations in taverns, as lately above 30 in one tavern in Smithfield, and that they change their places, which, compared with the letter you know of, increases suspicion; howsoever, such numbers to meet in these times is unhandsome. I beseech you acquaint his Grace [of Canterbury] and my Lord General, the Earl Marshal, with it. I am going to Sion to obey you. [*Seal with arms broken.* ¾ *p.*]

Sept. 5. 57. Sec. Windebank to [John Carne, victualer of the navy]. You will herewith receive a letter from Colonel Gage, in Flanders, to his brother here, and another from his said brother to myself, with both which I humbly desire you to acquaint the Lord Lieutenant, to whose consideration they are submitted. The discourse of the Colonel suits not with the present condition of his Majesty's affairs, but in the point of exchange of old soldiers for new, and his coming over with his regiment to serve his Majesty on this occasion, which his brother undertakes to negotiate at his own charge so he may have order for it, and doubts not but within a fortnight to have the Colonel with his regiment at his Majesty's army, the Ambassadors being also very well inclined to it, as appears by his letter. And although a fortnight's time, considering the present constitution of his Majesty's affairs, may produce a great alteration, yet in my poor understanding the proposition is not to be altogether neglected, for if the Colonel could be brought over with his regiment in time I doubt not but they may be of excellent use to his Majesty, and in case such a change shall happen before their coming as may render them useless to his Majesty the negotiation is easily stayed. I beseech you favour me with a word or two of his Lordship's opinion of the business, and if it shall be conceived fit to be proceeded in, he may please to procure his Majesty's order to that purpose, if not, an answer must be given to the Colonel without making further noise of it. [*Draft.* 1 *p.*]

Sept. 5, Birk[en]head. 58, Sir Thos. Powell, sheriff of Cheshire, to his brother[-in-law] Laurence Whitaker. I send now by the post a fuller certificate against [George] Edgley, head constable of Nantwich hundred, to be carefully delivered to Sir Dudley Carleton, or the clerk that now waits, to be presented at the next opportunity, for it is a most troublesome time with the Lords as with us. We poor sheriffs must receive sometimes encouragement from the Board, or these great ones will trample us and his Majesty's business down, as lately one of my

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collectors of ship-money and my own servants were well beaten in the parish of Warmingham, where Peter Venables, termed Baron of Kinderton, has many tenants, and the 10 cows they had pressed were violently rescued; in which scuffle my servant, Rich. Lloyd, was run at with a pitchfork and hurt in the arm by John Skragge, and another servant, James Pendleton, dry beaten by John Hulse and others; the chief delinquents names are Harrison Kettle, John and Will. Kilshawe, and Dongcastle, constable of Warmingham, for all whom I pray a messenger may be sent forthwith, else no more money will be paid, the rest of the county having their eyes upon the success of this affront, and hoping, if these escape with impunity, to fare likewise and no worse. Hulse said while they were beating Pendleton that my bailiffs and servants were arrant thieves, and I, the sheriff, was no better than a rebel, being neither friend nor true subject to his Majesty. Hulse, I hear, is rich and well able to defray the messenger's fees, if he can light on him first, which must be done with wariness. Four towns rose against my men, so it is vain for me to attempt to apprehend the delinquents. I have a new bill of exchange from Mr. Webbe instead of the one I lost for the 100*l.* to be paid in by Mr. Shute, but I dare not send it up by post lest it miscarry. I think it safer to be sent by Leech at his next coming. P.S.—Neither the trained band nor the power of the country will assist me in attaching delinquents in this service, they are all in general possessed with such dislike thereunto; therefore I can do nothing without aid from the Board. [*Endorsed:* "Received 10th September 1640. To be read." *Seal with arms and crest.* 1 *p.*]

[Sept 5.?] 59. Requisitions demanded by the Scotch army from the Bishopric of Durham. We demand 30,000 lbs. weight of bread per diem, and if you please to supply any part hereof with cheese we shall accept 100 weight of cheese for 200 weight of bread. Our pound weight is 16 ounces, and our stone 16 lbs., our cwt. is 6 stone and 4 lbs. We demand 40 oxen and 100 sheep per diem. We demand the use of some mills between this and Durham for preparing corn lying at Newcastle, and the horses of these places to carry the corn. We demand likewise 20 tons of beer per diem. [*Copy.* ½ *p.*]

Sept 5. 60. Political squib, in form of a royal letter, from Lucifer, Prince of Darkness, to his beloved son the Primate of the Roman Catholic Church, and to all our beloved children the Cardinals and lordly Bishops in Europe, and entitled "A True Copy of the Devil's Letter sent to Rome by an Infernal Spirit and the next day conveyed into England upon the Pope's command unto the lordly persons herein named. 1 September 1640." We have imposed our princely command upon our beloved son Cardinal de Richelieu to raise a present army for the invasion of England in two several places, viz., Dover and Portsmouth, at such time as their King is most deeply embroiled in his war against his subjects the Scots, which by our observance we guess, if Parliament can be diverted, will happen upon the 10th October next. We are likewise pleased to take special notice of our

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dear children and servants for their great and special service done in working the dissolution of the last assembly in Parliament, by which means nothing was effected for the good of the heretics, either concerning their Church or Commonwealth, so as the success of the present work was no ways hindered. They are likewise to take notice that the nobles of England are malcontented, the country discouraged, the Commons divided, the number of our servants, the Roman Catholics, infinitely increased, and the whole realm of England greatly oppressed as well by the invincible power of our lofty children, the lordly bishops, as by the multitude of our most constant servants the lawyers, attorneys, doctors of civil law, proctors, solicitors, and apparitors whom we have caused to swarm as the Egyptian locusts over all that land for the sowing of debate amongst all the inhabitants of the same; and further, our will and pleasure is that you let them know of that service which they most willingly and readily endeavoured to effect for the confusion of the heretics inhabiting in England, Scotland, and Ireland, and Holland, by the last conceived invincible armada procured from Spain in the year of our reign 5660 [A.D. 1639], which through the provident care of their God then over them failed of that success which we together with them expected and hoped for to our no less sorrow than theirs, nor can we but applaud the great care taken and the impregnable diligence used by some of our most eminent servants in that kingdom in preventing the discovery of that intended invasion and plot by the heretics and their small well-meaning state by some of our trusty servants speedy repair to Dover Road and secret conference with the Generalissimo of Spain [Don Anthonio De O'Quendo] to that effect, all which was most exquisitely performed, notwithstanding that the main intention of that plot was most unfortunately crossed by the Divine Providence above and the hand of Van Tromp [Admiral of the Holland fleet] here below. You are to present our royal favour to Seignior Conn, your late nuncio at the Court of England, and to our other servants the lordly bishops and others; also, you are not to omit the gaining of the Tower of London into your hands by some covert stratagem. Given at our Infernal Palace of Perdition the 5th of September in the 5661 year of our damnable reign. P.S.—Since the above written we are credibly informed of the delivery of a most scandalous petition by a few lordly heretics unto their King which doth not a little touch our honour and the discovery of our pretended stratagem if they shall with their complices prevail to gain a Parliament, which we most fear and decline. Our pleasure, therefore, is that there be some speedy course taken for suppressing of the same, and the authors thereof severely punished, and some castle allotted to them for their abode until such time as this our design be effected. Antonio Diabolo principalio secretario. [8 *pp.*]

Sept. 6. Council warrant to commit John Arnott close prisoner to Newgate. [*Docquet.*]

Sept. 6. The like to Thomas Waterworth, a messenger, to bring Wm. Walker, parson of Chiswick, before the Lords. [*Docquet.*]

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Sept. 6, Whitehall. 61. Warrant of the Council to Sir John Heydon to issue out of the King's stores, and to cause to be transported, 60 lasts of gunpowder from the Tower to Portsmouth. [*Draft.* ½ *p.*]

Sept. 6. The like to authorize John Biggs, deputy to Richard March, keeper of his Majesty's stores, to repair to Portsmouth, and there to provide storage for the 60 lasts of powder. [*Written on the same paper as the preceding.* ½ *p.*]

Sept. 6. 62. Order of Council that the Sheriff of Dorset be sent for to make good his complaints against refusers of ship-money and rescuers of distresses when they appear before the Board, or send one or more able persons sufficiently instructed in his stead. [*Draft.* ½ *p.*]

Sept. 6. 63. The like for the attendance of the Sheriff of Oxon. [*Draft.* ½ *p.*]

Sept. 6. 64. The like, that the Attorney General be required to send for John Arnott, a Scotchman, now prisoner in Newgate, and strictly examine him upon the information given against him by George Lockyer and Alexander Gould, and thereof to give an account to the Board with his opinion, that further course may be taken as shall seem fit. [*Draft.* ½ *p.*]

Sept. 6. 65. Minutes of Orders of Council concerning Commissions of Lieutenancy, Array, &c. Ordered, 15 March 1638–9, that Mr. Attorney should prepare a Bill for a Commission of Lieutenancy to the Lord Mayor on occasion of his Majesty's northern journey, agreeable to one granted by King James before a journey to Scotland. On 26 March [1639], his Majesty commended to the Lords the care of the Queen and their children, directing them to attend her Majesty on Sundays, and to give notice to all Lords Lieutenant, not being Privy Councillors, to repair to their lieutenancies, all governors of islands and forts to go to their charges and to take consideration of the duty for knights fees, or a voluntary contribution in lieu thereof. Mr. Sec. Coke, by letter of 6 April 1639, was desired to acquaint the Board or Sec. Windebank with the northern affairs, which grew common here before the Board had knowledge of them. By an order of 1 July 1640, the Lord Keeper was to issue commissions of array for every county to be directed to Lords Lieutenant, sheriffs of counties, &c. 26 August 1640. Relation was made of a commission given to the Earl Marshal of the office of Captain General of all his Majesty's forces on this side Trent, with instructions when to execute it; and on notice from Sec. Windebank of the Scots entering the kingdom it was ordered by the Board that his Lordship should put it in execution. Ordered, 18 August 1640, that the Lord Keeper should issue commissions of lieutenancy to the Lord Mayor according to that of 15 March 1638–9. By order of 6th of September 1640, direction was given to those of the Council who did not attend his Majesty to the north, or any six of them, for ordering affairs here in the King's absence, concurring with that issued last year. [¾ *p.*]

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Sept. 6. Notes by Sec. Windebank of his proceedings in the King's absence. [I sent] his Majesty account of our being at Hampton Court, the Lord Privy Seal producing a copy of the [12 English] lords' petition which he said he had from a scrivener; the Earls of Hertford and Bedford coming to the Earl Marshal, and their being appointed to come to the Board. The Scotchman, John Arnott, that said he would kill the King. To Mr. Treasurer Vane to the same effect. [*See vol. cccclxiv., No.* 45, *Aug.* 20. 6 *lines.*]

Sept. 6. 66. Sec. Vane to Sec. Windebank. I received yours of the 4th with her Majesty's to-day, before Sir Kenelm Digby arrived, and communicated your despatch to his Majesty. I shall by Mr. Nicholas, who leaves here to-morrow, give you full notice of what passes with us. The Scots have sent a petition to his Majesty who has answered it; by Mr. Nicholas you shall receive copies of both, and the bills signed I mentioned in my last, and those I received by yours which were signed to-day. P.S.—Sir William Bartley [Barclay] carried the answer to the rebels' petition, and had order to demand the prisoners they detain. [*Endorsed:* "Mr. Treasurer Vane's by Mr. William Murray; received, [Sept.] 8th, in the morning." 1 *p.*]

Sept. 6, York. 67. Edward Nicholas to the same. I believe you have before this received by Lord Goring an answer to the business I was sent for hither, so my journey might have been spared. I hope I shall not commit any fault hereafter that shall make the Lords enjoin me to the like punishment. I am told to-morrow morning I shall be dispatched about some other services of his Majesty's, so I may attend you about Thursday next. The rebels still lie in and near Newcastle; they sent two days since 50 horse to Durham, but they stayed not there, most of the inhabitants having gone. They have invited the English ships, that lay without the bar at Newcastle, to take in coals, and they give leave to the owners to sell the coals; and they make bold to receive the King's duty on that commodity, and our English shipmasters are now lading. [*Endorsed as the above. Seal with arms and crest.* 1 *p.*]

Sept. 7. 68. Note of the appearance at the Council Board of William Walker, vicar of Chiswick, co. Middlesex. [2 *lines.*]

Sept. 7, Whitehall. 69. Warrant of the Council to [Sir William Balfour], Lieutenant of the Tower, to release Lady Eleanor Davis, and deliver her up to Lord Hastings. [*Draft.* 1 *p.*]

Sept. 7. 70. The Council to Ferdinando Lord Hastings, acquainting him that means having been used in his name and that of his wife to obtain from the King the release of Lady Eleanor Davis, his mother-in-law, who was committed some time since by warrant from the Board for a great offence, the particular mention whereof we think fitter to suppress; warrant has been directed to the Lieutenant of the Tower to deliver her up to him. [*Draft.* 1 *p.*]

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Sept. 7. The Council to the Justices of Peace of Herts., requiring them to make strict inquiry for and to vigorously punish all unruly soldiers and others the authors of the late disorders and profanations [of churches] in that county, and from time to time to render account of their proceedings therein. [*Written on the back of the preceding. Draft.* 1 *p.*]

Sept. 7. 71. Warrant of the Council to Lord Cottington to pay Colonel Galbreth 10*l.*, to enable him forthwith to repair to the north. [*Draft.* ½ *p.*]

Sept. 7. 72. Order of Council, that Francis Fox may continue his tavern in Westminster, without any molestation of the vintners of Westminster, and notwithstanding the former order of May 29 last, giving him till St. Bartholomew's Day to sell his wines, and then to sell no more wine in Westminster; the Queen having mediated for him by the Earl of Dorset. [*Draft.* 1 *p.*]

Sept. 7. 73. The Council to William Lord Maynard. Thanks for his care of his Majesty's service in Cambridgeshire; but for the things you move in behalf of that county, the King having appointed the Earl Marshal of England Captain General of his forces on this side Trent, you are to address yourself to him; the safety of all being so nearly concerned in this great occasion we will make no doubt of the same ready obedience of that county, or of any other under his commission, as has been already shown by the northern counties, who both with their bodies and fortunes serve his Majesty with all alacrity, and at their own charge. [*Draft.* 1½ *p.*]

Sept. 7. 74. The same to the Deputy-Lieutenants of Kent. We have to-day been made acquainted with yours of the 24th of August last, to Mr. Comptroller, which from the pressure of business since his Majesty's departure the Clerk of the Council could not sooner acquaint us with; neither now can we esteem its contents, being chiefly concerning your reckoning for last year's arms, and of the coat and conduct-money now to be levied, to be by you seasonably moved, or to proceed from so right a sense of the present and most urgent condition of his Majesty's affairs as ought to be in you in so great an occasion as this of the rebellion of the Scots, who were then approaching, and have since invaded this kingdom, and daily advance, to the great danger of his Majesty's crown and the whole State, unless by God's assistance and the loyal carriage of his Majesty's subjects it be prevented. We, therefore, refer you to a more convenient time for deliberation; and you are in the service now commanded by his Majesty's letter of August 19, or any you have, or may have received from the Earl Marshal, Captain General on this side Trent, to make use of the arms at Gravesend, and all other arms and means whereby to prevent this common danger. [*Draft.* 1⅓ *p.*]

Sept. 7. Notes by Sec. Windebank of his proceedings in the King's absence. [I gave] his Majesty account of the two Lords, Bedford

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and Hertford; powder promised to the City. Mint business. Sent him a note of the votes of the Lords. The Archbishop of Canterbury not going to York. Apprentices reforming religion. The like to Mr. Treasurer Vane. [*See vol. cccclxiv., No.* 45, *Aug.* 20. 5 *lines.*]

Sept. 7, Whitehall. 75. Similar notes of a meeting between the Council and the Earls of Hertford and Bedford, which took place at a Council at Whitehall, held on this day. My Lord Hertford; that in the common danger they have presented a petition to his Majesty; that they have brought the like to the Lords, desiring them to join with them in it, with this protestation, that they wash their hands from the mischiefs that will happen if the Lords do not join with them in it. [*Printed in Appendix No. V., Camden Society's Vol., Notes of the Treaty of Ripon, p.* 79. 1 *p.*]

Sept. 7, York. 76. Sec. Vane to Sec. Windebank. I send you herewith by Mr. Nicholas copies of the 12 [English] lords' and the [Scotch] rebels' petitions, with his Majesty's answer, which was approved by the Lord Lieutenant [of Ireland], what it produces you shall be advertised when Sir William Barkley returns. Meantime they begin to plunder the Bishopric, and have begun at Sunderland where they came with four troops of horse, Lord Yester commanding them, at 12 o'clock at night and took away 70*l.* of the King's money. They have made proclamation throughout the country to bring in all the arms, and have sent for the sheriff and gentlemen of that county to appear before them, they pretend for their good and the peace of the country but I much apprehend it is to draw them into the Covenant, which they, especially the tenants of the Church, being disgusted with the clergy there, who have held too hard a hand upon them, may be but too apt to embrace. It had been well these things had been foreseen. His Majesty resolves to stay here and put his army into the best posture he can to see an issue of this unhappy business. I am sorry you have no hopes of money to raise an army in the south, for I may tell you ours is not in the best posture. We have sufficient men, but it is to be doubted if in this cause we should have their hands and hearts, for they receive it as orthodox that the rebels have been the redeemers of their religion and liberty. The Scots' horse have possessed themselves of Durham. I am still of opinion they will pursue their point notwithstanding the petition. The pacification of Berwick was much cried down; I cannot tell but that now worse and more dishonourable conditions will be endeavoured to be put upon his Majesty; but both here, and with you in the south, we should expect and provide against the worst, for it is ever good to treat sword in hand. The Earl of Loudoun is left Governor of Newcastle, and has been down at the Shields to persuade the masters of ships to continue their trade; and certainly their end will be to raise all the money they can by a trade there, on coal and otherwise. It has been in his Majesty's consideration whether he should not by his shipping shut up the Tyne or no, but since it concerns the southern parts so much, especially

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London, he would have the Committee take it into consideration and send him their advice upon it. I send you enclosed a letter, with the seal cut of his Majesty's arms in Venice; all particulars you will find there contained, I have acquainted his Majesty therewith, and it is his pleasure that you speak with the Venetian ambassador thereof and send a despatch to Falketh as is desired, which his Majesty holds fit to be done. The 15th of this month will be quickly here and you say nothing concerning it, pray let Robert Read see what money has come in, that you and I may provide for the rest for the payment of the Queen-mother. [*Endorsed:* "Received by Mr. Nicholas, Sept. 9th." 4 *pp.*]

Sept. 7, Hereford. 77. Thos. Alderne, sheriff of co. Hereford, to Nicholas. Most of the gentry in the county deny payment of the ship-money, or put off the collectors, and others from their example do the like; as they have done formerly. Whereupon, since the 8th of July last, I appointed in every hundred six able men to assist the chief constables, and one other to assist the petty constables of every parish. But constables and collectors have done but little, for distrain they will not; therefore I have travelled through parts of the county and distrained many of the principal gentry, and sent my servants to distrain others. When I was in London I paid in 200*l.*, ten days since I paid 250*l.* more by Mr. Russell, of Coleman-street, London, and hope in a few days to return as much. I am hardly threatened for my pains in this business. One John Addis, gentleman, of Pipe, a collector appointed to assist in that parish, always refused the business, and on the 5th of this month he told me publicly he would not be commanded by the Sheriff or his warrant, nor stir a foot in the business. I directed also warrants to Mr. John Hearing, of Holmer, whom I appointed collector for the hundred he lived in, and on receipt of his Majesty's proclamation I sent a particular warrant to him by the chief constable and my own servant, who desired him to put it in execution, and to pay what was imposed on himself, being a man of good estate, his answer in a peremptory manner was that he thought ship-money unlawful, therefore would not pay it, nor execute any such warrant till he had advised with his counsel whether he might be compelled thereunto. I am weary of imprisoning constables. If you think fit that the lords know of these contempts I desire it. If they were made examples of it would much further the business. My under-sheriff thinks himself free from the execution of this writ and will not meddle with it. [*Endorsed:* "Received Sept. 16." *Seal with arms.* 1¼ *p.*]

Sept. 7, Isle of Wight. 78. Sir John Oglander, late sheriff of Hants, to Nicholas. Having seen his Majesty's proclamation commanding all sheriffs to bring in their arrears of ship-money by the 1st of October; and fearing I may be taken for one of those negligent sheriffs who have been backward in doing his Majesty service I have made bold to present to you the enclosed note how I have paid in the ship-money levied by writ of August 1638; the total paid in or in the hand of corporate towns to be by them paid in is 6,012*l.*, being 12*l.* more

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than was assessed on the county. I pray that this note may be presented to the Council in case my name be in question, hoping when the Lords see how ready we have been to do his Majesty service they will ease me of any further trouble or attendance. [*Endorsed:* "Received Sept. 12." *Seal with arms and crest.* 1 *p.*] *Enclosed,*

78. I. *The above referred to note of all ship-money paid in by Sir John Oglander, sheriff of Hants, 1637–8, being 6,000l. to Sir William Russell for that year.* [1 *p.*]

Sept. 7. 79. William Porter, escheator of Berks. and Oxon., to Lord Treasurer Juxon. The sheriffs are absent at London to give account of their own actions and so I am unable to make known to you the success of their later warrants in getting in the ship-money. Divers distresses have been taken, divers refused, few or none redeemed or bought by others. At the sheriffs' return I will wait on them for further information, and meantime continue to solicit the collectors' expedition. [¾ *p.*]

Sept. 7, Tetbury. 80. John Sheppard, escheator of co. Gloucester, to the same. The sheriff of this county has committed some officers for neglect of their office in not distraining for ship-money, which most refuse to do, and has sent warrants to his own bailiffs to carry some other officers to goal who have neglected the service, and will not give account of their doings therein. But he only relies on the officers to bring in the money, which cannot be the speediest way of collecting it. He tells me he dare not trust the bailiffs with the money because they are beggarly, which I believe to be true. He has appointed some more meetings with the officers who have promised faithfully they will bring in some money. [*Seal with arms.* ¾ *p.*]

Sept. 7. 81. Robert Higgins to Capt. Burgh. Earnestly entreats to be released of this service. It may, in my opinion, well be done without prejudice either to you or the design. I, according to your directions, delivering up my horse and arms to some one or other at this time in want of them. [1 *p.*]

Sept. 8, The Scots' Leaguer at Newcastle. 82. The Scotch commanders at Newcastle to William Earl of Lanerick, Secretary of State for Scotland. As nothing on earth is more desired of us than his Majesty's favour so doth nothing delight us more than that his Majesty begins again to hearken to our humble desires, wherein we trust nothing shall be found but what may serve for his Majesty's honour and for the peace of his dominions. The particulars we would have expressed, but that they are contained in the conclusion of the late Parliament and our printed declarations, which were sent to you, but in case the papers be not by you we now summarily repeat them. Substance of the Scots' demands. [*Printed in Rushworth iii., p.* 1258; *Burnet's Memoirs of the Dukes of Hamilton,* 177; *and Records of the Kirk by Peterkin,* 300. *Copy.* 1 *p.*]

Sept. 8. Two other copies of the same. [*See Sept.* 4, *vol. cccclxvi., Nos.* 37 *and* 38.]

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Sept. 8. Copy of the Scots' demands only. [*See Sept. 4, vol. ccccLxvi., No. 42, p. 9.*]

Sept. 8, The Leaguer at Reidheuche, above Newcastle. 83. The same to the Lord Mayor and Aldermen of London. Our manifold published declarations and informations bear us witness that this our appearing in arms is not to wrong any but to guard ourselves against all unjust violence that may hinder us from obtaining our just desires from our gracious Sovereign, and therefore as the end of our journey was not to make enemies but to find friends, so we declare to you and the aldermen your brethren that our abode at Newcastle is not to make any stop of trade in that river, since the free traffic in coal is so necessary for the city of London, and other places; but, on the contrary, our purpose is to use the best means we can to continue the trade. [*Printed in Rushworth iii., p.* 1259. *Seal with arms broken.* 1 *p.*]

Sept. 8, At 9 p.m. York. 84. Sec. Vane to Sec. Windebank. This is for cover to his Majesty's and to acknowledge the receipt of yours of the 6th, whilst we are here in expectancy of Sir Peter Killigrew, having little else to say but to call upon you to solicit for money, without which unavoidably his Majesty's affairs will run great hazards. You will receive enclosed a letter from the King himself to Lord Cottington, calling on him for money which I cannot see can be less for two months than 80,000*l.*, towards which the Lord Lieutenant [of Ireland] told me this morning, as well as your last, there was no great appearance of more than half, if the Lords Treasurer and Cottington dealt clearly with you. The Lord Lieutenant's indisposition increases rather than declines. [*Endorsed:* "Received 10th, at 11 in the forenoon; answered 11th." 1 *p.*]

Sept. 8, Huntingdon. 85. Deputy-Lieutenants of co. Huntingdon to the Lord Lieutenant, Henry Earl of Manchester. We have called before us all the trained bands, horse and foot, in this county, and charged them to be ready when called for at an hour's warning. We return you the names of those that being charged with horses for his Majesty's service in this county, and always warned, yet were ever absent, and unless you take some course with them we cannot make up the number charged upon us. [*Seal with device.* $\frac{2}{3}$ *p.*] *Underwritten,*

85. I. *List of those charged with light horses who are always absent, amongst them, Sir Charles Cæsar, Master of the Rolls.*

Sept. 8, Sarum Close. 86. Richard Green to Nicholas, concerning the letting and repairing of his house property at Longparish. [*Endorsed:* "Received Sept. 12." 3 *pp.*]

Sept. 8. 87. Francis Read to his cousin Robert Read, at Lennox House, in Drury-lane. Thanks for his letter. The falseness or malice of report had made the conquest of the rebels and the loss of our party so eminently great it could not but comfort any well affected to find the loss no greater nor more unequal than by yours I perceive it was; yet any loss in this kind is extremely considerable, and pity it

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is he has a heart that feels not in it some motions and desires to revenge the death of our countrymen and these affronts to his Majesty by those, ever yet, contemptible rebels. I trust to God that, however the pressed troops did, the trained bands will show they have loyal and valiant hearts by their cheerful defence of their King and country. Promises to write more fully next week. [1 *p.*]

Sept. 8, Dissington. 88. John de Lavall to Sir John Fenwick. I intended to have been with you at York to wait on his Majesty if my health would have served, to know his pleasure what course we should hold for the safety of our county [Northumberland], being left alone by your absence, and that of the rest of the deputy-lieutenants, I have been in a great strait how to discharge my duty to his Majesty and answer the pressing desires of the Scots for provision, they writing to me as also to you and the rest of the justices of the peace, which I doubt not you have been acquainted with by my cousin Heron. I forbore to appear before them upon their letter, whereupon they sent a troop of horse yesterday morning before I was out of bed to take me and bring me before them, which I could not resist; they brought me to the leaguer, where I met Sir Wm. Bellasis, Sir Wm. Lampton, and some other justices of peace of the Bishopric, called before them for the same business for their county [of Durham], who, all meeting in the morning at their leaguer at Reedhugh [above Newcastle], were dismissed for the present, and to attend the Lord of their Committee, till the afternoon at 2 o'clock at Sir Lionel Maddison's house in Newcastle, where the Earl of Lothian lodges, being now Governor of Newcastle. In the interim I was desirous to understand what course Sir William Bellasis intended to hold, he being at Mr. Mayor's with some of the aldermen and the rest of the Bishopric with myself, he told us he had received the like letters we had from them at York, and acquainted the King with them, who wished him to come and see what propositions they would make to us, willing him to let us know that for the present, seeing he could not defend us, [we were] to make the best conditions for ourselves we could, always reserving our allegiance to his Majesty as our Sovereign. Upon our call to the Committee their propositions were they had no desire to hurt the country, so they might have provision for their army, which they could not subsist without, being barred of any supply by sea, and interrupted by land by the garrison of Berwick, and they will give ready money or security for what they have. I send you enclosed a note of what provision they expect daily to be brought to them by our county [*see No.* 59], which I conceive it will not be able to afford and subsist ourselves, except they have passage to bring in their own provision from home. I send also a copy of their letter of intimations to the market towns, and the letter they wrote to call me before them. They have sent out their troops of horse to summon both counties to meet next Thursday, [at] Durham for the Bishopric and Morpeth for our county. Their necessities are so great they can give no longer time, so if the country give them not present supply we must expect to have our goods taken from us. We in the

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country are very unfortunate for the want of you and the other gentlemen of our country to assist us with your advice for the safeguard of our country, which is likely to suffer in a miserable way. I hope you will acquaint his Majesty with our estate and humbly petition he will take some compassion of us. [*Endorsed by Sec. Windebank:* "Received from Mr. Treasurer Sept. 13." 2 *pp.*]

Sept. 8. 89. An Alderman of Newcastle to a friend in London. You may perhaps expect an account how affairs stand in these parts, I being in the midst of them, whereas I dare scarce commit anything to letters lest they should be surprised by those who like lords already expect such conformity with them that we dare not control their actions nor discover anything to their prejudice, which some have smarted for, having not the power to comply and temporize among them. Having the opportunity to send this by sea I have taken the more freedom to acquaint you with our true state. They have by all means endeavoured to draw us back to this town, where we live together quietly enough in appearance, being not troubled with the common soldiers who are kept in their quarters in camp, some commanders only and men of better rank living with us in the town. We enjoy hitherto all our goods, the money only excepted, which while the terror of the army was on us and their intentions yet unknown, they easily persuaded us to lend on their security, which was the greatest part of the ready money then in the town, some having been so provident as to transport their estates away before; but such is the scrutiny into our affairs by their Lords of Council, who sit here every day, together with the value of every man's estate and an inventory of the merchandise in the town, which they have caused us to give, that we fear if they be once irritated by the King's army and forced hence we shall but preserve our own estates till they please to take them from us, using us meantime as bail to secure our neighbours, but so keeping us still in their power that they will neither suffer us to transport anything nor depart ourselves, yet make our restraint a seeming entreaty, and imprison us in our houses, as out of their care of courtesy and the protection they pretend to take us into. They have made that part of the town defensive which we neglected all this summer and will be able to hold it if they have victual, which if they want we must suffer with them, and shall be sure to starve first; for provisions they endeavour to make good by Tynemouth Castle to bring it in by sea which they daily expect and have got some by stealth. I cannot satisfy myself how they will be able to do that by their own shipping, but fear their correspondence with some strangers, by whom, having made themselves considerable by land, they intend to make a party by sea, which they certainly expect, intending this winter to ship away all the coals already dug and employing colliers daily to dig more. It is to be feared if the King will not permit our ships to fetch coals they will send them abroad in Flemish vessels and make a revenue by an imposition they mean to lay on them. Divers poor people of the country daily flock hither finding themselves securer here than in the country from the insolence of their

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soldiers; for what they provided at their first coming abroad is spent, their horse do now daily go through all the Bishopric of Durham, and bring in cattle wherever they find them, pretending the country does not supply them with markets to satisfy their army, which indeed is impossible. Two or three gentlemen of quality were yesterday sent for from the utmost parts of the bishopric to repair before their General, to what end I know not. The soldiers are intolerably insolent in their discourse, slighting the King's army and indeed the whole nation, and persuading themselves of a certain conquest, out of several old prophecies they produce, amongst which I have sent you one more remarkable than ordinary, which they say is Merlin's:—

Anglia te prodit tua gens quum quilibet odit
Te circumfodit gens Scotica, Gallia rodit,
Wallia minatur, Hibernia insidiatur;
Ecce repentina validus morte atque ruina
Te cito prosternit, nec gens tua talia cernit,
Pax simulata fluet; gravior quoque pœna paratur.

which they have translated into Scottish verse, applying it to this and the last year, and they believe it no less than Gospel. If this be the remedy we must expect of these times, I pray God we have not warmed a snake in our bosom which will destroy us for our charity. The apprehension of Popery and innovation in religion did trouble us all, but he that should now look upon our conditions would scarce believe this the lively remedy. For my part I assure you had I known what I now find I should much have preferred to suffer as a martyr for my religion than to run the hazard of being a traitor to my country, which he who helps not his Majesty will find himself to be too late. God grant this viperous brood so freely received into the belly of this kingdom do not eat through the bowels of their fosterers, for I assure you where they shall govern we shall find them proud lords. The day after their arrival at Newcastle Mr. Henderson preached, who so much forgot his text and the duty of his calling, that he fell into a strange extravagant way of applauding their success and depraving the English, making that the whole subject of his discourse. I pray God put a period to these troubles, which till I see past I can repute my poor fortune and estate here but in a desperate condition. [*Copy.* 3 *pp.*]

Sept. 9. 90. Another copy of the same. [3 *pp.*]

Sept. 9. 91. Evidence of Robert Stone, to the effect that on Sept. 8 Mr. Bateman and Mr. Robert Bowles, or Boale, beadle of Broad-street Ward, and Anthony Dyott came to see my armour, and Mr. Dyott took out a letter which he told me was written from his father, Sir Richard Dyott, importing ill news to the English nation by the Scots. Being read out by him, something was written about two lords who delivered a petition to the King at York with some construction in the same letter, at which words Mr. Bateman asked why the writer wrote so before he new the petition, and Bowles prated something which when I heard I wished him to hold his tongue, for what was written

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was no doubt true, being written by a knight, one of the Council of York whom I well knew. Then Dyott further replying, Bateman said those that put the King upon the wars, if it proved so that by it a separation were made between the two kingdoms it would be a great dishonour to the King and England. I further remember Bowles said he thought the letter was written by a Papist, to which I answered as before, that I well knew the knight who wrote it to this gentleman, his son. When Mr. Dyott and Mr. Bateman were about to go before the Lord Mayor to have there answered the matter Mr. Dyott refused to go, saying Bateman should answer elsewhere, I then said I was sorry such words passed between him and Bateman in my house and prayed I might not be troubled about them. [1⅔ *p.*]

Sept. 8. 92. The like of Anthony Dyott. I, having read a letter concerning the occurrences of the north, Mr. Bateman said that the letter was written by some Jesuit, and Boale [Bowles], an accomplice of his, said it was well indicted but was full of falsity. After this Bateman said that the King was gone and set upon a dishonourable action, repeating these words three or four times. Then I reprehended him and desired the auditors to take notice of the words. Upon that he began to qualify his words and uttered these words: I say that they who set the King against his subjects of Scotland were worthy to be hanged, and that they who plotted this difference betwixt the King and his subjects put the King upon a dishonourable action; and then he bade the company take notice that he spoke the last clause and that he would justify it. I remember he speaking of an act of the Common Council by which it was ordered that the City should increase the trained bands 6,000. I asked him for what, he replied to this effect, what have we to do to fortify ourselves, but for the defence of the City. These words were spoken by Bateman in the presence of me who call him and his own consicence to witness against him. [½ *p.*] *Annexed,*

92. I. *Memorandum by Anthony Diott. Pray remember to ask Mr. Stone if he did not say, after Mr. Bateman said that some Jesuit wrote that letter, that no such man wrote it but a reverend gentleman, Sir Richard Dyott. Ask him also if he did not say he was* [*afraid*] *that I was abused by Boale* [*Bowles*] *and Bateman, and if he did not entreat me that I would not discover anything I heard there in his shop.* [¼ *p.*]

Sept. 8, Feering, Essex. 93. Dr. Robert Aylett to Robert Reade. I am entreated to write on behalf of Samuel Cole and John Cross, clothiers, and my neighbours of Dedham, who stand committed by Mr. Sec. Windebank, for some words as is pretended spoken against his Majesty's proclamation. I am far from abetting or in the least excusing any words against the honour of our King, or commending or allowing the rebellious attempts of his enemies, but as I know these men to be honest and industrious in their trade, setting a multitude of poor people on work, and that now is their chief and best time to provide their wool out of other countries for the whole year, and especially in regard their

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friends assure me they are true and faithful subjects to his Majesty and free from all disloyal and undutiful speeches against him, I am bold to be an humble suitor to his honour to hear their cause or commit it, in these times of important business, to be heard by some other, and that clearing themselves they may have liberty to negotiate in their trade. [⅔ *p.*]

Sept. 9. 94. The Council to Lord Treasurer Juxon. The King, fearing lest Yorkshire and the adjacent counties will not be able to furnish a sufficient proportion of victuals for the army, has required a supply from hence and directed that the export of corn, butter, cheese, and all other victuals should be inhibited. You are therefore to order that the transportation of victuals to other lands or from port to port be stayed, and to cause them to be sent to Hull, where the owners shall receive ready money for the same. [*Printed in Rusworth iii., p.* 1260. *Draft.* 1 *p.*]

Sept. 9. 95. The same to Algernon Earl of Northumberland, Lord High Admiral. His Majesty having commanded that no victuals should be sent beyond seas or from port to port, but only to Hull for the use of his army now in the north, and that a ship should be sent to remain near the place for the better security of such as shall bring their commodities to be sold there, we have thought good hereby to require you to send thither immediately such a ship as you shall conceive best for that service, there to remain till further order from his Majesty or this Board. [*Draft.* 1 *p.*]

Sept. 9. 96. Order of Council. Whereas the Tilers' and Bricklayers' Company of London showed that by charter under the Great Seal, dated August 3rd, in the 10th year of Queen Elizabeth, the tilers and bricklayers of London were reduced to a company in such form as the other Companies of the City have been heretofore established, and power was given to the Master and Wardens of the Company to search and govern all freemen of the said society of London and suburbs, and within 15 miles of the City in all things belonging to the trade, which charter was confirmed by King James, in the second year of his reign, and by virtue of an Act of Parliament of 19 Hen. VI. giving power to the Lords Chancellor and Treasurer for the time being to confirm ordinances of guilds, the ordinances of the Tilers' and Bricklayers' Company were confirmed by them, and the two Lord Chief Justices, July 14th, in the 13th year of Queen Elizabeth, and by those ordinances it is appointed that the Master and Wardens, or some persons appointed by them, shall enter all places where any earth or clay shall be dug within 15 miles of London to make tile or brick, to see that it be good and well tempered, and that every brick be 9 inches long, 4¼ broad, and 2¼ thick. But notwithstanding this charter and power granted to the petitioners certain brickmakers, hoping to avoid the search, and to set prices on those commodities at their pleasure, obtained from his Majesty in the 12th year of his reign letters patent to be a peculiar company of brick and tile makers in London, Westminster, and 20 miles round, but their abuses being discovered his Majesty by proclamation in July last called in

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the letters patent, and the Board required the justices of the peace of Middlesex to take effectual order for the speedy reform of all abuses in making and selling bricks and tiles. Petitioners therefore prayed since the good making of brick concerns his Majesty, the Lords and all who bestow cost in building, and give petitioners no advantage, but only to have true sized and well burnt bricks to work with, that the Lords would confirm their former charter and ordinances, which the Lords having considered, as also the report of Sir Ralph Whitfield and Sir Robert Heath, to whom they referred examination of the premises, do hereby confirm the power petitioners have by their former charter and ordinances, and where the latter find any deceitful brick and tile they are to destroy it and see that prices now exacted more than formerly be moderated. And if any in any way oppose or hinder this order the Master and Wardens of the Bricklayers' Company are to certify the names of all such offenders to the Board who will give such further order as shall be fit. [*Draft.* 3¼ *pp.*]

Sept. 9. 97. The like to his Majesty's learned Counsel to cause John Arnott, who is charged with having threatened to kill the Prince, to be indicted and prosecuted next term in the Court of King's Bench, and there to receive such condign punishment as a crime of so wicked and high a nature deserves. [*Draft.* ½ *p.*]

Sept. 9. 98. Pass from the Council for Robert and Jervase Pierpoint, younger sons of the Earl of Kingston, to go into France for three years, with three servants and luggage, with the usual clause to the searcher. [*Minute.* ½ *p.*]

Sept. 9. 99. Order of Council to the Warden of the Fleet to set Sir John Jennings at liberty, he having entered into bond for his appearance in the Court of Star Chamber. [*Draft.* ½ *p.*]

Sept. 9. 100. The like. Whereas the Lords, by an order of 29 May last, allowed Ralph Eglesfield, vintner of Westminster, time till St. Bartholomew's Day to sell the wines in his cellars and provide for himself elsewhere, and required him then to shut up his tavern and sell no more wine there or elsewhere in Westminster or its liberties; yet, as appears by a petition to the Board to-day from the Vintners of Westminster, he not only sells wine there since the time limited, but in a contemptuous manner has since the 29th May hung up a sign and bush; the Lords did this day order the justices of the peace of Middlesex to cause the said sign to be immediately taken down and Eglesfield's doors shut up and himself absolutely suppressed. [*Draft.* 1 *p.*]

Sept. 9. 101. The like. Mr. Attorney General having, by order of the Board of Sept. 6th examined Henry Wheeler about some scandalous speeches he uttered against his Majesty and the Queen-mother, and reported to the Board, it was to-day ordered that his Majesty's Counsel should cause the said Wheeler to be indicted and prosecuted in such court of justice as he shall think fit, that he may receive condign punishment, that so others may be deterred from using the like liberty. [*Draft.* ⅔ *p.*]

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Sept. 9. 102. The like. Henry Wheeler, of Rislip, Middlesex, one of her Majesty's littermen, being charged by two witnesses with scandalous speeches of his Majesty and the Queen-mother, for which his Majesty's Counsel learned by order of this Board is to cause him to be indicted and prosecuted in some court of justice; it was to-day also thought fit, for an addition to his punishment, hereby to pray Henry Jermyn, Master of her Majesty's Horse, to cause him to be suspended from his place till further order. [*Draft.* ⅔ *p.*]

Sept. 9. 103. The like. This day Mr. Delmyhoy, Esquire to the Prince's Highness, being convented before the Board, was for good causes well known to them suspended from his place of Esquire, and commanded not to resort any more to the Courts of the King or Queen or of the Prince's Highness until his Majesty be informed hereof and his pleasure known; but if he presume meantime to repair to the Prince's Court the Earl of Newcastle, Lord Governor to his Highness, is prayed to cause him to be removed thence. And Mr. Sec. Windebank was prayed to write to his Majesty the causes of this proceeding, and to move him to make known his further pleasure. [*Draft.* ¾ *p.*]

Sept. 9. 104. Warrant to Robert Cross, messenger, to bring Mr. Bateman, son of Robert Bateman, Chamberlain of London, before the Lords. [*Minute.* 6 *lines.*]

Sept. 9. 105. Minutes of warrants to messengers to bring up delinquents [here named] in the ship-money service from cos. Oxford and Dorset. [1 *p.*]

Sept. 9. 106. Note of the appearance of Richard Bateman, merchant, of London, sent for by warrant from the Board. [2½ *lines.*]

Sept. 9, Arundel House. 107. Notes by Windebank of the proceedings of the Council. To know his Majesty's pleasure whether those provisions belonging to the Lord Marquis [Hamilton's] train of 24 pieces shall be sent according to the Earl of Newport's signification to the officers of the Ordnance from his Majesty. If these be sent then this train of artillery now designed here cannot be furnished in any reasonable time. There are 40 [cannon] appointed for this train besides some small falcon drakes. [*Margin*: "Not for the King."] The gunners unserviceable that are in the King's pay to be cast and their pensions stayed. The arms that came from Flanders to be viewed by the officers of the Ordnance and Lanyon to be called to it. The ensigns and drums wanting to be demanded of the colonels and officers. Whereas the Lord Marquis writes there must be 30 horse in the Tower, to know how they shall be levied. [*Margin*: "To write to the King."] We will not publish it here, but there is no hope to have forces here without pay. The raising of an army may be talked of but till the success of the meeting of the Peers be known. To know whether the army to be raised here be to march to join his or to stay here to make a stand for the guard of the Queen and for a retreat for him in case of disaster. The jewels. Mrs. Kirk. The Irish to be sent down under Captain Noeland. What was the truth of the defeat at Dunse. [*Endorsed:* "All these things I have written to his Majesty." 1 *p.*]

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Sept. 9. Notes by the same of his proceedings in the King's absence. I wrote to his Majesty by the post, acquainting him with the Lord Cottington's being at Essex House, with the Queen's desire the Earl of Dorset should stay here. The Lord Privy Seal's stay; the Earl of Berks undertaking the Lords intended a liberal supply. Delmyhoye. Sundry other things. [I wrote] to Mr. Treasurer Vane at the same time, the Earl of Strafford, and Duke of Lennox. [*In the margin:* "Proclamation for powder."] [*See Aug.* 20, *vol. ccccl*xiv., *No.* 45. 7 *lines.*]

Sept. 9,. York. 108. Edward Viscount Conway to Sec. Windebank. If you have not heard from me of late it was not want of will but of time, for from the time the Scots came into England till I came to York I had not time to eat or sleep. I would most gladly have written to you because I would have told you the day before what would happen the next, in hope that that might have served to justify me if those things happened that were contrary to expectation. I hear I have been blamed for the letters I wrote concerning what would happen if the Scots came in; look at them and see if they were stories or no, look upon the advice I gave, see what we do, for what I have done from the Scots' entry till the troops quitted Newcastle I dare stand to the trial of soldiers; I assure myself I have made no fault. Now that the affairs are governed by another I am not able to judge, but the bare relation is that the army here shall be entrenched close under the walls of the town; the horse must be sent to Richmond or Cleveland to be near the Tees to keep the Scots from making incursions into Yorkshire. The Scots order things in such manner it appears as if they would not advance farther. We were in doubt they might have surprised Hull, and therefore sent thither Sir Thos. Glemham with his regiment of 1,200 men. [*Endorsed:* "Received Sept. 11th." 1 *p.*]

Sept. 9, Mincing-lane. 109. Thos. Barlow and Sir Henry Vane, junr, officers of the navy, to Sir Dudley Carleton. According to the Lords' order of Aug. 26, the Sampson, Marigold, and Francis set sail for Newcastle the 2nd September in the morning, with instructions to abide at a convenient distance without Tynemouth bar, till they received further order from the Lord Lieutenant General of the army in the north; and on receipt of the Lords' order of September 2 which came to our hands that evening, we sent immediately after the said vessels, and meeting with the Marigold and Francis gave them instructions to go to Hull. But the Sampson, laden with butter and cheese, could not be met with, being gone towards Tynemouth by the Lords' first order. All the rest of the ships, nine in number, laden with provisions, are ready to sail for Hull when wind and weather permit. P.S.—Six of the ships now ready to sail have been so ever since Saturday last but the winds have been contrary. I intend to wait on you at Whitehall within an hour to receive the Lords' further command. H. Vane. [1 *p.*]

Sept. 9. 110. Nicholas Herman to the same. My Lord's [the Earl of Arundel and Surrey] meaning is that you prepare a minute of letters to be

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signed by all the Lords to all the Lords Lieutenant of the shires within his commission on this side Trent, that they take immediate order to provide a sufficient number of able pioneers and good carts, with men and horses for carriage and draught, and a sufficient number of spades, shovels, pickaxes, and all tools necessary for making defensive works in these perilous times that there be no want of such tools on occasion for the defences of that county. And if any counties think themselves already sufficiently furnished, that they forthwith certify the Board what store of each kind they have in readiness; and that those yet unfurnished provide them with all possible speed and certify the Board or the Lord General what store of each kind they have provided. They are also to take care that the county magazine be well stored with powder, shot, and match, and every musketeer of the trained bands for his particular use; and lastly, that the beacons be presently made ready and duly watched. [*Seal with arms and crest.* 1 *p.*]

Sept. 9, Trinity Hall. 111. William Roane to [Sir John Lambe]. I received your letter accordingly, and for James Vaughan, or any other upon whom you are pleased anything shall be executed by me, it shall be done without any dalliance or delusion of your commands. Mr. Goldsmith, parson of Campton-cum-Shefford, is Mrs. Stevens' father, so that he might intend to see his wife's father and his prebend at one journey. September 23, I purpose to dispatch your Court at Biggleswade and will write to Mr. John Scott to meet me there, then to perform the place of actuary for that time. Aston Clinton is the mother church, and the chapelry of St. Leonard's desire your favour according to the enclosed certificate; I pray your pleasure herein against the Visitation. One, Kilpin, of Ravenstone, co. Bucks., being prosecuted for adultery with his maid servant, at the instance of Mr. Rich. Crompton, made his commutative peace for 15*l.*, which you received last summer twelve month; since then he frequented her company, and in April 1640 the churchwardens there presented him for it, and he has made a commutation in the audience, dated May 4, 1640. If I mistake not he was sought at his house, if not cited personally, May 1, 1640, and that drove him upwards. Now if you send for letters missive, I will furnish you with particular articles at your Visitation, for if this pass we shall lose all. Northern news are very various, but most certain it is that 500 families are come to Lynn, from Newcastle, and that the Scots entered the town on the south side, crossing the Tyne at a ford 5 miles above Newcastle westward, for the east, north, and west of the town were fortified, but not the south, which was raised above all the town, and they suspected not their coming that way. Leslie was carried to church on Sunday Aug. 30 there, and there are many Scotch clergymen with the rebels, who march before the army Bible in hand. They paid for what they took the first two days of their march, and afterwards pretended the prices were too dear and so took what they wanted and especially of Recusants' goods. At Newcastle the soldiers pilfered very much, whereupon some of them were hanged, for a pretence I conceive to blind the people. [1 *p.*]

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Sept. 9. 112. Petition of Samuel Cole and John Cross, clothiers, of Dedham, prisoners in the Gate-house, to the Council. On information given by Capt. Watts to Sir Francis Windebank, that petitioners used some words tending to the dishonour of his Majesty and justifying his subjects of Scotland, petitioners were fetched up and stand committed. On August 20 last, petitioners being in their inn at supper, the Captain [Watts], being unknown to them, came in and affirmed the King was gone to Scotland and that he met him. And he raging against Puritans, one of us asked what a Puritan was, but used no abusive words, as by divers witnesses may be proved; whereupon the Captain not only used insulting words against them, but threw a trencher and a silver beaker at Cole's head, and presently drew his sword and struck him on the head, whereupon a servant in the house laid hold of him, so Cole escaped out of the room, and going out he said, "Sir, I will meet you in the morning." Whereupon petitioner, Cole, fearing for his life, obtained a warrant from the Lord Mayor to bring the Captain before him, but having notice of it he escaped and complained against petitioners. Wherefore the form of the accusation being but words mistaken and being occasioned only by the Captain, and not knowing any unlawfulness to speak of his Majesty's going, &c., the proclamation forbidding it being not then come out, and being poor clothiers setting many poor people to work, and having been much damaged by this imprisonment, being the chief time to provide and dry their dyed wools for the winter, they pray you to take their cause into consideration and let them be enlarged. [1 *p.*] [*In dorso:* "The Lords having heard this petition read referred petitioners to be examined by Sir W. Becher and Sir D. Carleton, who are carefully to do so and certify the Lords on Friday next what they find. D. Carleton, Whitehall, August [Sept.] 9. 1640." ½ *p.*]

Sept. 9. 113. Depositions of Anne, wife of Robert Sanderson, master of the Green Dragon, in Bishopsgate-street, and of Ingleby Procter, servant in the said house, touching the affray between Capt. Watts and Samuel Cole and John Cross in the Green Dragon.

[Sept. 9.] 114. The like of Edward Rand, of Langham, Essex, clothier. [1 *p.*]

[Sept. 9.] 115. Examination of Richard Bateman concerning treasonable words alleged to have been spoken by him at Mr. Stone's house, in St. Bartholomew-lane, the particulars of which are given in Stone's evidence, April 8. [½ *p.*]

Sept. 9. 116. The examinations of Francis Bellers, Benjamin Stone, son of Robert Stone, and Robert Bowles, beadle of Broad-street Ward, on the same subject. [2 *pp.*]

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Sept. 10. 1. Warrant of the Council to Sir John Heydon, lieutenant of the Ordnance, to issue to Mr. H[enry] P[ercy], who has at his own

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charge raised a troop of 100 horse to be armed at his Majesty's charge for his special service, 100 back and breast pieces with gauntlets, and 100 cases of pistols, out of the King's stores remaining in his custody. [*Draft in Lord Cottington's hand.* ½ *p.*]

[Sept. 10?] Whitehall. 2. The like to Sir Robert Pye to draw an order by virtue of his Majesty's letters of Privy Seal of May 22 last, to issue to Mr Henry Percy, brother of the Earl of Northumberland, on account, 494*l.* 18*s.*, for a month's pay, at 17*l.* 13*s.* 6*d.* per diem, for a troop of cuirassiers, consisting of 100 horsemen besides officers, which, by his Majesty's special appointment, he has raised at his own charge as a guard for his Majesty's person, and 6*l.* 10*s.* 8*d.* by way of advance, for a month's pay for a waggon at 4*s.* 8*d.* per diem, which pays are to commence the 14th of this instant, that day excluded ; the said sums to be reckoned as part of the 300,000*l.* by virtue of the Privy Seal to be issued to such persons and for such his Majesty's services as by us or any three of us shall be appointed. [*Found torn down the middle and so probably cancelled.* 1 *p.*]

Sept. 10. 3. Jerome Earl of Portland to the Council. Complains he has not yet received any order for repair of the castles in the Isle of Wight, for which he desired 800*l.* I also inform you that on several warrants from you to the office of the Ordnance for supplies of cannon and ammunition I never received my full supply, list of arms wanted. There are some parishes in the Isle of Wight which have their own brass field-pieces, but of so narrow bore they are not so useful as those his Majesty lately caused to be made. If, therefore, you think fit to exchange 15 of those pieces it will be of great service to the defence of that country and no loss to his Majesty, their pieces being of much greater weight than his. I have often moved you that the co. Southampton might have a powder magazine at Portsmouth, and you have often given order in it, but there is none yet. I desire we might have powder at the old price of 12*d.* the lb., which will be a great encouragement to the country. If you think fit a proportion of arms be sent thither the country may the better put themselves in readiness, according to his Majesty's and the Lord General's late directions. The horse of that county are generally small and light and the arms charged on them are cuirasses ; we can seldom get 100 of them together, and those ill enough armed. If they be all changed to pistols and carbines I believe they would willingly find a greater number ; and if to that purpose you think fit to send to Portsmouth some horse arms, I hope they will take them off apace. If you please, the money the country shall lay out for powder and armour may go to repair the castles and forts in the Isle of Wight. [2 *pp.*]

Sept. 10, Berwick. 4. Robert Rugg, captain of Holy Island, to Sec. Vane. This bearer being for shipboard, I may with more safety express myself. The place I command is strong enough ; here are 22 men, and as Sir John Conyers has information he sends me more assistance ; but we have not fire or candles, and are very ill provided with victuals. Nevertheless, though I understand this fort is aimed at, I have

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sworn all my men never to yield unless famine compel us, for prevention of which I shall drive the cattle of the island into the castle, for I have provision of salt. We are three quarters pay behind at Michaelmas; I understand our Lady Day's quarter by Sir David Cunningham's procurement is at Durham, but there is no way to get it. Sir John Conyers has prevailed with Mr. Payler to lend me 10*l.* on my bill; I wish we might be paid by exchange by him, otherwise we shall suffer too much. [*Seal with arms broken.* 1 *p.*]

Sept. 10, York. 5. Sec. Vane to Sec. Windebank. I now return you your bills, signed by Sir Will. Barkley, who will give you an account of the Scotch camp, whence he has returned. A brother of Lord Fleming has come with Barkley with demands from the Rebels high enough. I have not seen them, but they are eight in number; to-morrow the Lords meet upon them, what resolution is taken with a copy thereof you shall receive by the next. I shall only tell you that I hear that without confirmation by our Parliament of what shall be agreed, if these businesses should come to a treaty, they conceive it cannot be a safe and sure peace. By this you may judge of the rest. His Majesty is content you should furnish the City with powder for their money since the Lords advise it. The rebels have to-day in their answer to his Majesty intimated the same that Bedford declared to the Lords concerning the meeting of the Peers; and we are advertised out of the south that it is conceived the Peers will not assemble here, but that some of them will come down and make a second instance for the present calling of a Parliament; and it is said also that some of the nobility have come to London and purpose to stay there to see what will be the issue of these businesses. To-morrow we shall review all the King's horse and foot, and some resolution will be taken what shall be done with the army. P.S.—Dumbarton is taken, and Edinburgh I doubt will soon follow. I almost forgot to tell you that the Duke gave his Majesty to-day information of some Turks that were stayed at Dover that had taken an English ship and were afterwards taken again by a Dunkirk one. I have taken order with Mr. Webb to send you the informations, and when you receive them it his Majesty's pleasure that you advise with some merchants what is best to be done with them, for if they are Algerines they will tell you if the setting them at liberty may not be a means to set some of our nation free at Algiers. [*Endorsed:* "Received Sept. 11 by Sir Wm. Barkley, answered 11th." 3 *pp.*]

Sept. 10, Hull. 6. Capt. Thos. Dymoke to the same. After many rumours of the Scots proceeding towards Berwick, our regiment, Sir Thos. Glemham's, was commanded to Newcastle, where we kept strict guard, but moved not, till the enemy marching within 4 miles of the town 2,000 foot and 1,000 horse were sent in haste to stop them at the ford by Newburn; their army appeared marching on the hills, above the ford, when we were drawing into our miserable works in the valley, where we lay so exposed to their battery that their great shot was bowled in amongst our men to their great loss and

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such confusion as made them quit their works, which the enemy's horse immediately possessed, seconded by their foot in great numbers; but first the horse on both sides exchanged a most brave but bloody encounter, the enemy's cannon extremely afflicting ours, being within their range. There was another work reasonably strong but likewise abandoned to the enemy. Our horse retreated and the flying foot were rallied by Sir Jacob Ashley in a wood where an ambush was fitly placed, but their rashness prevented its success which might have been good. Our foot advanced from the wood to a hill, where six troops of our horse made a stand, and the enemy's horse coming up fought with them the second time, but the issue was bad, Commissary Wilmott, Sir John Digby, and Capt. O'Neale were taken prisoners, and we understand sent into Scotland. The fight was sharp and short, the flight general, and the foot being overrun by the horse in a narrow lane fled for company, less than 300 of ours fell, and more of the enemy. The next day early Newcastle was deserted by us and possessed by the enemy, but Leslie and his guards did not enter till Sunday, where he heard a sermon, and dining with the Mayor for requital turned him out of doors and seized his house and goods to his own use. He seems to dispense with the inhabitants, Protestants, but the arms, ammunition, ships, and provision, besides a levy of 10,000*l.*, were made lawful prize. The town they fortify and exact the profit on coals and the goods of Recusants for payment of their army. With long and foul marches we came to York, near which we encamped. Our regiment was sent to fortify Hull, the place now aimed at by the enemy, and the town is strengthened daily by the soldiers, who are continually busy in framing an outward defence. Neither my losses in field and town, which were to the doublet I now wear can afflict me like the malice of Sir Jacob Astley, which follows me with an endless persecution, vilifying my best actions. If I may speak my opinion the first error was in sending out so few men, the next in placing those in a low valley exposed to the enemy's ordnance, which almost encompassed us on the hills; thirdly, our want of ordnance; fourthly, the neglect of two high banks which, commanding the lane wherein our foot were marching, might very aptly have been lined with musketeers to destroy the enemy's horse. We lost many arms to furnish the naked Scots, whose army consists of 37,000 foot and horse. They have taken Durham and Sunderland. [*Endorsed:* "My cousin Dymock from Hull; received 13 [Sept.], answered 13th October. *Seal with arms.*] 3 *pp.*

Sept. 10, Rye. 7. Certificate of Rob. Orwynn, mayor of Rye, to the same. That George Edge, ever since he has been postmaster, has been very diligent in carrying the King's packet, and furnishing passengers with good horses at reasonable prices, and is a very fit man for the place though he has been much opposed and hindered in it by one John Thomas. [½ *p.*]

Sept. 10. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to Marquis Hamilton and sent him a packet

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from Lord Cottington, and gave him notice of the London petition. [*See Aug.* 20, *vol. ccccl*xiv., *No.* 45. 2 *lines.*]

Sept. $\frac{1}{2}\frac{0}{0}$, [London.] 8. Henry Tailler [Taylor] to Robert Read. I must request you to put Mr. Secretary in mind of the letter the Marques de Velada desires him to write to the Earl of Marlborough, to the following effect:—That Mr. Secretary having told the Marques of the overture Lord Marlborough made him of his intention to sell the great Spanish ship he had lately bought in Holland, and which is now in the river about Ratcliff; and having acquainted the King with the motion, who was pleased to consent to it, the Marques has sent to Dunkirk for the overseer of the fleet there, who is lately come to London, to buy the said ship. Whereupon Mr. Secretary gives notice thereof to the Earl of Marlborough that he may appoint some one to treat with the Marques and his officers about the sale. If you please send me this letter, the bearer shall wait till it be written, and we will send it with an express messenger to my Lord of Marlborough, who we hear is at the Isle of Wight. [1 *p.*]

Sept. 10. 9. John H[ighlord?] to Archbishop Laud. To-day near 300 of the citizens resorted by companies of 20 or 30 to consult and subscribe to a petition to be presented to his Majesty, a copy whereof Mr. Moslock's man showed me, which contained all that was in the Lords' petition, and some other grievances; also Mr. Guard and Primacombe have informed me there are 30 in the City have joined together to maintain a press to print seditious and libellous books, and in particular one entitled "A Reply to a Relation of the Conference between William Laud and Mr. Fisher, the Jesuit," which Guard has dispersed to the members of the late Parliament and to divers others of note, and to some of the Lords, and has promised to acquaint me with those that contribute to the press. Also he informs me there are 12,000 Scots against Berwick and 15,000 to lie against Carlisle, and more are coming to aid those of Newcastle, and that the Scots had not come into England but were sent for by the Lo[rds]. And this is he that dispersed the Scotch pamphlets which this relator told Sir John Lambe of, and lurks about Gray's Inn in a satin doublet, with his man Primacombe following him with a cloak bag full of books and has his cloak laced with a great broad gold lace. [*Endorsed:* "Received Sept. 12. J.H.'s information." *Signature torn.* 1 *p.*]

Sept. 10. 10. John Wynne, escheator of co. Flint, to Lord Treasurer Juxon. Of the 575*l.* ship-money charged on this county the sheriff has returned 460*l.*, and of the 115*l.* unpaid since receipt of your letter there is 60*l.* more by much ado received, which with what may be got on the sudden the sheriff will send up with the first safe return he can find for it. Most of what is uncollected is assessed on impropriations and other lands of great value, which are pretended to be privileged from assessment, and in most of those places no distresses are to be found till the corn is ripe, and the owners live in foreign countries, so I fear the money assessed on such lands will

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not be got in without trouble. Some abuses are committed concerning the assessments of the ship-money which I hope the sheriff will certify to you ere long; if not, if you think fit, I will; for there be very many who part with their money with much reluctance because of some wrong wherewith they find themselves aggrieved, not only in this but in other assessments. [1¼ *p.*]

Sept. 10, Whichford, near Shipston-upon-Stour. 11. Thomas Fletcher, deputy of John Stephens, escheator of co. Worcester, to the same. I find the sheriff and his special bailiffs are very jealous in the ship-money service, and take distresses where money is not paid, wherein I encouraged them, pressing his Majesty's urgent need of the ship-money, and acquainting them with his late proclamation concerning it. About 500*l.* is collected, which the sheriff has promised to pay in shortly. But I find many of the constables are not only negligent but have abused the country, especially the gentry, by laying imputations on them that they refuse to pay the ship-money, whereas I have myself ridden to many of the gentry to know whether it were true, and find most men, especially the better sort, willing to pay, and that in many places the constables have not made their assessments nor demanded the money, and in other places they have collected money and keep it. William Holland, constable of Cropthorn, and Willm. Horte, of Elmley Castle, utterly refuse to assess or levy it; and John Wells, of Tredington, not only neglects his attendance on the sheriff, but sent him a letter of excuse alleging he could not get in the money, and that the country took it ill they were pressed to pay sooner than other places; whereupon I went into his precincts and examined the truth thereof, and I find a great part of the money is paid into the constable's hands and not returned to the sheriff; who has appointed another meeting at Worcester the 17th of this month, where all the constables and officers for levying the ship-money are straitly charged to bring in all the residue, which I am in good hopes will be effected, for since my travels about the country I find them more forward to levy and distrain than formerly. [*Seal with arms.* 1¾ *p.*]

Sept. 10, York. 12. Leonard Pinckney to the same. I have hitherto desisted writing not out of any neglect of duty, but only want of opportunity wherein I might present my service. I doubt not but you have been made acquainted with the affairs of these parts and the proceedings of the Scots by more able means than myself, yet my duty emboldens me to acquaint you with the effect of a message which was delivered by Sir James [William?] Douglas, sheriff of Teviotdale, to the mayor and magistrates of Newcastle upon the town bridge, the same day in the evening that our forces had marched away, and collected by one of my clerks who remained behind in the town and heard the whole conference. Sir James signified that he came from a great Lord of Scotland, their Lord General; that they should acquit their fears; although they were armed, they came not to oppress nor molest them, being both their neighbours and friends, and that he hoped he should so find them, that they were going to speak with their good King with a petition in one hand desiring the establishing of

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their religion, laws, and liberties, which they had often sued for, but could not obtain, and with a sword in the other hand to defend them from their enemies, who interpose between their good King and them and had kept them from being heard or relieved in their many former petitions, but not to offend their King, or any of his loving subjects, but that they were ready to lay their hands and their heads under his feet for him to trample on. That he hoped their good brethren of Newcastle would not conceive amiss of their approach in that manner, but would join with them, it being both their causes, and for the good of both kirks and kingdoms. That if a letter had been delivered to Lord Conway, which was sent and returned unbroken open, the disaster the day before had not happened to the hurt of both nations, which was no way their seeking, but they were enforced to it in their own defence. They desired a relief of provisions, as bread, butter, cheese, and drink for their money, and a supply of ammunition. Answer was made that for provision of victuals they had none, or, if they had, they would sell them none; that they were the King's loyal subjects and would so continue. That for ammunition all was taken from them for the King's service. They acknowledged their own weakness, and that they were left destitute and had not [wherewith] to defend themselves, and hoped that no violence should be used, they both being subjects to one Prince. Sir James made answer that if fair means might not prevail for provisions they must use force and so departed. The next day being Sunday, at noon, they entered the town, guarded the gates which stood open for them, quartered their horse in the town and fortified all the adjacent hills against the town, where all their army of foot remains intrenched. They have seized all the arms and ammunition in the town, and commanded great store of money from the inhabitants; and such as deny to enter into the Covenant, being but few, for I believe that the most part of the inhabitants were Covenanters before, are enforced to leave their houses, lands, goods, and all they have to the Scots' disposing. Thus my Lord they use good words, only to effect their own ends, pretending friendship and good usage, but demeaning themselves like Lords, for not one man either in Northumberland or the Bishopric of Durham can or dare call anything he has his own. I fear I have too much intrenched upon your patience, but my duty has caused me to present this. [1 *p.*]

Sept. 10, London. 13. Thomas White to Mr. Mall or Mawle, Groom of the Bedchamber. Some papers have lately come to my hand which I conceive of such consequence that I resolved to send them to the King, and to choose you to present them. Wherefore I pray, for his Majesty's sake, and the good of his kingdoms, present them in all privacy to him; and for your better assurance you may show this letter to the King that I alone may be responsible to him. P.S.—If the King conceive my personal attendance to be of use to his present service I shall on your first summons speed to York, and will retard my journey homeward for some time in expectation of your reply. At Mr. Johnston's at the sign of the Gun, near the Savoy. [*Seal with arms.* ⅔ *p.*]

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Sept. 10. 14. Examinations of Samuel Cole, clothier, of Dedham, Essex, Anne Anderson, mistress of the Green Dragon, and Ingleby Procter, her servant, concerning the disturbances at the Green Dragon, in Bishopsgate-street, August 20, 1640. [2½ *pp.*]

Sept. 10. 15. The like of John Crosse, clothier, of Dedham. [1 *p.*]

Sept. 10. Indenture whereby Thomas Bowlasse, and others, tenants for life of messuages and lands situated within the manor of Drayton Magna, Cliffe Grange, and Fearne Hill, co. Salop, agree to surrender the whole of their interests of and in the same to Sir John Corbett, to whom the right of reversion belongs. [½ *skin of parchment signed and sealed. See Case E., No.* 25.]

Sept. 11. Warrant of Privy Seal to the Treasurer and Under-Treasurer of the Exchequer to pay out of the treasure remaining in the receipt of Exchequer to Thomas Falconberge, or his assigns, 50,000*l.*, to be by him imprested for such services in the southern parts of England as shall from time to time be ordered and certified by Archbishop Laud, Lord Treasurer Juxon, Thomas Earl of Arundel and Surrey, Earl Marshal, Edward Earl of Dorset, Chamberlain to the Queen, Francis Lord Cottington, and Sec. Windebank, or three of them. [*See vol. cccxcvi., p.* 354. *Copy.* 1 *p.*]

Sept. 11, Lambeth. Archbishop Laud to the King, concerning a plot [discovered by A. Habernfeld to Sir W. Boswell at the Hague] to destroy the King and the Archbishop of Canterbury. This letter and the two annexed were sent to the King at York, who made notes in the margin and returned it at once to Archbishop Laud, dated York, Sept. 13. [*Addressed by Laud:* "For your sacred Majesty," *and re-addressed by the King himself:* "Yours apostiled," *and endorsed by Laud:* "Received from the King Sept. 16, 1640. The King's answer to the plot against him, &c." [*Printed in Rushworth iii.*, 1315. 2 *pp. See Holland Correspondence.*] *Enclosed,*

I. *Sir William Boswell to Archbishop Laud, enclosing information of the plot. The Hague, Aug.* 30, 1640. *Endorsed by Laud:* "*Sir William Boswell about the plot against the King, &c. Received Sept.* 10." [*Printed in Rushworth iii.*, 1310. 6 *pp. See Holland Correspondence.*]

II. *The general discovery of the plot* [*by Andrew Habernfeld*]. *Hague, Sept.* 6, 1640. *Endorsed by Laud:* "*The plot against the King.*" [*Printed in Rushworth iii.*, 1314. *Latin.* 3 *pp. See Holland Correspondence.*]

Sept. 11, [York.] 16. William Earl of Lanerick [to the General and Committee of the Scots' Army at Newcastle]. You having, as his Majesty ordained, sent the particulars of your demands, his Majesty has commanded me to let you know that upon the meeting of his Peers, as was by him formerly mentioned, he will communicate your petition to that Great Council, and after their advice speedily return such answer as shall be just and honourable. And further, I am commanded in

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his name to demand such officers and others of his subjects as are detained by you, which was omitted by a mistake of Sir William Barkley. [*The seven demands of the Scots being delivered by the Secretary to his Majesty, he commanded Lanerick to return them this answer. Printed in Balfour ii.*, 402. *Copy.* ½ *p.*]

Sept. 11. 17. The Council to Francis Earl of Bedford and William Lord Russell, Lords Lieutenant of Devon. We have been made acquainted by the Earl Marshal with the letters of your deputy-lieutenants for Devon of the 2nd and 4th of this present, by you put into his hands, and understand two difficulties they conceive they will find in the execution of his Majesty's commands for putting in readiness the trained bands and other forces of the county to march and serve in the common defence as occasion shall require in this time of common danger. The first is the distraction of the gentry and others, as to which service personally to apply themselves, with the trained bands, or the other, concerning escuage and tenure in knights service; both commanded by proclamation. The second difficulty they apprehend is to procure money for the charge of the trained bands when they shall be required to march. Whereunto some direction being desired from us, to the first we answer, it is his Majesty's intention that the service commanded of the train bands, by his letter and proclamation for the common defence, is carefully to be executed by every man in his own person. But for the attendance on his Majesty required by the other proclamation, according to the tenures in knights service, it will suffice that the same be done by deputy, or that persons so holding land of his Majesty give satisfaction by composition as by the same proclamation is more particularly expressed. And for the other difficulty how to provide for the charge of these forces when they shall march, we understand that not only the custom and laws of this kingdom require that in time of actual invasion every man ought to serve in the common defence at his own charge, but that the very law of nature obliges us thereto without sticking upon such questions. And that thus it has been the practice within this kingdom, both in ancient and modern times, is very manifest; even when only a doubt or fear was had of an invasion. But whereas the present danger is past all doubt from the actual invasion of the Scotch rebels with so great an army, so far advanced that the whole kingdom may soon be overrun unless by a greater power they are repelled; and whereas his Majesty's subjects of the north parts of this kingdom cheerfully join together and serve him at their own charge, both with bodies and fortunes, without trouble to his Majesty or deputies; we are, therefore, to require you to signify to your deputy-lieutenants what the sense of the Board is herein, and that we will not doubt his Majesty's subjects of that county will on this occasion show as much zeal for the common safety wherein we are all so nearly concerned as is now showed in the north, or has been practised in any other time of danger heretofore in this kingdom. [*Printed in Rushworth iii., p.* 1265. *Draft.* 2 *pp.*]

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Sept. 11. 18. The same to Wm. Earl of Hertford and Philip Lord Herbert, Lords Lieutenant of Somerset. Solving the difficulty of providing money for the trained bands in the same way as above. [*Draft.* 1 *p.*]

Sept. 11. 19. The same to the Lords Lieutenant of Surrey; ordering the coat and conduct-money levied in that county for conveyance of the 800 soldiers raised in the county, but since discharged, to be restored to those from whom it was levied, as is done in the other counties. [*Printed in Rushworth iii.*, 1266. *Copy.* 1 *p.*]

Sept. 11, Whitehall. 20. Council warrant to all Mayors, Sheriffs, Justices of Peace, and other officers, requiring them to assist the auditor and receivers of his Majesty's revenues for cos. Northampton, Rutland, Warwick, Leicester, Stafford, Hereford, Salop, Lancaster, Westmoreland, and Cumberland, who are now shortly to travel into these counties, for the keeping of his Majesty's audits and receipts of his revenues within the same, and to suppress all disorders that may arise from the trained bands being appointed the same places of meeting for rendezvous. That they be aiding and assisting to the auditor and receivers as well at the places of their sitting as in travelling from place to place with his Majesty's moneys, and if, there be cause, to help them to convoy, that the money may be safely returned and the rest of the service performed orderly. [*Draft.* 1 *p.*]

Sept. 11, Whitehall. 21. The like to Will. Watts, messenger, to bring before the Board Lady Elizabeth Lawrance, Samuel Sewster, of Great Ratley, Sir Lewis Watson, Ch. Parker, Heneage Proby, of Aylton, John Glover, of Water Newton, and Mr. Riplingham, returned as delinquents for not showing their light horses at the last muster in co. Huntingdon, with a clause to discharge such of the defaulters as immediately repair to the Lord Lieutenant of the county or one of his deputies and promise conformity for the future. [*Printed in Rushworth iii.*, 1267. *Copy.* 1 *p.*]

Sept. 11. 22. Pass for James Barker, gentleman, to repair to the Low Countries, with two servants, &c. [*Minute.* 6 *lines.*]

Sept. 11, Whitehall. 23. Order of Council. That the Sheriffs of London be prayed to take charge of Mrs. Anne Hussey, who has given information of some traitorous speeches of William O'Conner, an Irish priest, and is threatened with violence by some Irish. [*Printed in Rushworth iii.*, 1266. 1 *p.*]

Sept. 11. 24. Draft of the above in Nicholas' hand. [1 *p.*]

Sept. 11. 25. The like. That John Herne, justice of the peace for Middlesex, examine Mrs. Anne Hussey and Will. O'Conner, and all such others as he shall find to know anything of the matters whereof O'Conner is accused, and hereof the Keeper of the Gate-house, where O'Conner is now prisoner, and all others are to take notice and conform themselves. [*Printed in Rushworth iii.*, 1267. ½ *p.*]

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Sept. 11. 26. The like. That the infection of the plague having so much increased in and about London it is very dangerous to permit any concourse of people to assemble at playhouses, or in Paris-garden. It was therefore ordered that the players, both their Majesty's servants and others, as also the keepers of Paris-garden, be commanded to shut up their playhouses and not to play in them or any other place within the City or suburbs of London till the infection cease and further order be given by the Board. [*Draft.* 1 *p.*]

Sept. 11. 27. The like. That Samuel Cole and John Crosse, of Dedham, formerly committed to the Gate-house Prison on complaint of Capt. Watts, shall not be released till they have acknowledged their offence under their hands. [*Minute.* ¼ *p.*]

Sept. 11. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty, and gave him account of the Devonshire petition to the Board concerning the canons and oath, of the London petition, of the Queen-mother's chaplain, of the Earls of Essex and Hertford going to York with Sir Francis Seymour. Letters from the Archbishop of Canterbury and Lord Cottington. To Mr. Treasurer [Vane] at the same time to the same purpose. The Turkish and Danish ambassadors. Writs to some Lords there summoning them to the meeting at York. [*See Aug.* 20, *vol. cccclxiv., No.* 45. 8 *lines.*]

Sept. 11, York. 28. Sec. Vane to Sec. Windebank. The Lords and yourself will not wonder that the copy of the Scotch petition arrived so speedily at the Queen's Court, since it was by his Majesty's special order sent thither by Will. Murray, of which I had no knowledge, but order to send it you by Mr. Nicholas, with a copy also of the petition of the Lords of England. By what you have represented to his Majesty I find you have no apprehension but that the Lords will be here at the day appointed, though you intimate some doubt thereof in your despatch to myself; we shall therefore prepare for them here. Sir Kenelm Digby has made his proposition to his Majesty, and whatever your opinion may be thereof, his Majesty bids me tell you, he holds it in nowise seasonable or practicable at present. I am sorry to understand that the Earl Marshal [the Earl of Arundel and Surrey] grows every day more infirm; I could wish, as well in regard of his Majesty's affairs as of himself, that he had more perfect health in this time of action. I never doubted of Lord Cottington's and your industry, yet I am of your opinion that an army without money will rise slowly in this distempered time, though the law obliges all subjects in case of invasion to serve at their own charge. You tell me that you shall advise with the Lords concerning the business of Newcastle, and the coals, of which they have already great apprehensions, yet in your despatch to his Majesty you advise that small vessels, such as ordnance may not be put into to be made ships-of-war, may continue the trade; but here his Majesty commands me to tell you, that you and my Lords would do well to advise

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with the Trinity House, and be well informed, whether that will be means sufficient to supply the City with fuel or not, or whether any of the coasters' ships be not such, that should they be seized by the Scots at Newcastle, they might be made frigates to put small pieces in, and so infest our coasts; this being secured, his Majesty approves of your advice, or any other way to supply the City with fuel that brings not a worse inconvenience with it. Yesterday afternoon his Majesty reviewed his army, consisting of 16,000 foot, and 2,000 horse, besides the trained bands of Yorkshire; braver bodies of men and better clad have I not seen anywhere than the foot; for the horse, no man that sees them but will judge them able to stand against any whatever. I have seen far meaner in the King of Sweden's army do great execution, and by the report of all they are far better than those they are to encounter; the latter being but little nags, and few or none at all armed but with lances and Scotch pistols, and I cannot learn they are above 1,600. So that if God sends us hearts and hands I cannot apprehend how they should be able to resist the shock of ours when they meet. His Majesty has also 44 good pieces of artillery of all sorts, with their equipage, so that, if you provide us with money in time, I do not see, though they have made but too far and prosperous advance already into this kingdom, but that, God being with his Majesty's army, success will follow; but should money fail for these three months, no man can foresee the calamities, both to King and State, that may ensue; and, therefore, by his Majesty's command you are to impress it on the Lords of the Committee effectually, he has now and so often recommended it to you by his royal pen, that I should not have spoken a word to you on this subject had it not been by his express command. His Majesty to-day returns Mr. Flemming, with answer to the letter he brought from the Scotch rebels, the copies of both which you shall receive enclosed, as also their demands to the town of Newcastle and the bishopric; the like they have done also to Northumberland, by which it will be seen how they that fall under the power of the sword are like to suffer, be their [the Scots'] pretences what they will; and therefore his Majesty and the Lords here hold it fit their [the Scots'] proceedings should be printed and published amongst you in the south, to stir you up to a perfect sense of their [the inhabitants'] sufferings, the better to induce a timely and vigorous supply, to prevent those calamities spreading further which we now endure. The counties of Nottingham and Derby have drawn their trained bands to the confines of their several counties, exercising their foot there till his Majesty send further order; the horse, which are two troops, to-day joined his army, so that now with the horse of Yorkshire his Majesty has 2,500 horse; Leicestershire is in the same forwardness, but cos. Stafford and Lincoln are not so ready, but 'tis hoped we shall hear of them shortly. His Majesty and my Lords are of opinion it were necessary all the rest of the counties be put in the same readiness, and now their harvest is done, be drawn to the confines of their several counties; and if

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the Earl Marshal and the rest of the Lords have not given order for it, it his Majesty's pleasure that you propose it to them that it may be put in execution, if they find not cause to the contrary. The President of Wales [John Earl of Bridgewater] has had his summons from his Majesty to be ready with all the trained bands and power he can make in his presidency; so I conceive they will be ready whenever they shall be commanded by his Majesty or the Lord General of the South [the Earl of Arundel and Surrey], as there shall be occasion. It is his Majesty's pleasure the Earl of Dorset attend her Majesty and the Council in the south, so he is pleased to dispense with his presence at the meeting of the Peers here. To-morrow his Majesty has appointed a Chapter of the Knights of the Garter here, when he intends to bestow the cordon bleu on the Lieutenant General [the Earl of Strafford], whose health has much mended. P.S.—You will communicate this despatch to her Majesty, for I have not written to her. Fifty wives of the better sort of the [Scotch] lords and commanders have come to Newcastle; by this it is conjectured they will not leave the place suddenly. [*Endorsed:* "Received [Sept.] 13, at 8 at night; answered 13th." 5 *pp.*] *Enclosed,*

28. I. *Petition of the Commissioners of the late Parliament and others of Scotland to the King.* [*Already calendared under date Sept.* 4. *Copy.* 1⅓ *p.*]

28. II. *The King's answer by the Earl of Lanerick.* [*Already calendared, Sept.* 5. *Copy.* 1 *p.*]

28. III. *The Covenanters' demands from the Bishopric of Durham.* [*Already calendared, Sept.* 5. *Copy.* ⅓ *p.*]

Sept. 11, Ludlow Castle. 29. John Earl of Bridgewater to the same. Thanks Windebank for showing him a way to get news more quickly and for his favour to the postmaster of Chester. Complains of the negligence of some other posts; a letter from the Earl Marshal dated Aug. 27 not reaching him till 3rd Sept., late at night. Requests Windebank to furnish John Castle with all information to be sent to the writer, for which purpose he has written to Castle to wait on him in London. P.S. —Yesterday a proclamation, dated at York the last of August, and imprinted at London, 1640, came to this town for all trained bands on this side Trent to be in readiness with horse and arms to serve his Majesty for defence of the kingdom; but none has come hither yet for Wales. [*Endorsed:* "Received [Sept.] 13." 2½ *pp.*]

Sept. 11, Leadenhall. 30. Francis Phelips to Edward Nicholas. If it please you to compose an order from the Lords for all the auditors and receivers to be entered in the Council book I will cause them to attend you for copies, and so each man may have his own, because we and the receivers part sometimes. [*Seal with arms.* ½ *p.*]

Sept. 11. 31. John Newport to [the same]. I know it is news you expect, and not compliment, yet I am persuaded you have more than is true, but for certain on this day fortnight there was a skirmish some 4 miles above Newcastle, where Leslie came over with half his

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army, and the other half lay against the town. About 4 o'clock in the afternoon they began to come over, and our men resisted, we were some 4,000 horse and foot, with two sakers and two 3-lb. bullet pieces, they [the Scots] were 15,000, with 40 pieces of ordnance, some whole culvering; our loss was about 100 men and theirs 300. Sir John Digby, Commissary Wilmott, and Capt. O'Neale taken prisoners by the Scots and remain in Newcastle. But no wonder we ran well; for I assure you when Leslie was within 20 miles of Newcastle we were "very well" provided to resist so strong an army; for all were confident that he would not come on. The greater part of the town were Covenanters, and daily certified him of our strength. For three days before the skirmish we were about 7,000 musketeers, and not a cwt. of shot amongst them all, neither had we any in store. But had we had ordnance and order he had never gotten the town. On the next day he came to the town, the Mayor entertaining him with great state, where he lies. On the Sabbath following [Aug. 30] he went to church, four men bare before him, one lord bareheaded, on whom he lays his arm, and in his other hand his staff, so walked to the church, and sat in state in the same place his Majesty sat in when he was there. He has borrowed 40,000*l.* of the Mayor and brethren, and keeps his promise, which was that no soldier nor officer should wrong any of the inhabitants, but pay for all they take, and so they do; for there are 4,000 soldiers in the town, and where they lie look what any of the townspeople bring in for their own provisions, they ask the price of it, and so give the people what they ask for anything they take, but will not suffer any of the town to dress any meat for themselves or their servants but what they buy of them; and so the townsmen sell them meat at one rate, and they make them give double the price for it again. On that sennight the skirmish was there was a sermon in the army some 4 miles from Newcastle, where some of my acquaintance were, who went on purpose to take notice of the substance of his sermon; his text was in the Psalms, the words were "O give thanks unto the Lord, for His mercy endureth for ever." No prayer before the sermon, nor anything of consequence in the sermon; only in his conclusion he exhorted to praise God for his mercies bestowed on them His people. For it was well known that the day before they came over the water they had not meat for their army for one day, no not for an hour; and now God hath brought them into a town flowing with milk and honey; and so fell to prayer, thus:—"Good Lord bless our King, and open his eyes, that he may see the truth of our Covenant, Lord bless the Queen, open her eyes, that she may fly her idolatry. Good Lord bless the King's bearns. Lord bless our General [Leslie]. Lord bless our army, and send us all well to our own homes." Leslie has summoned the sheriffs, deputy-lieutenants, and justices of Northumberland and the bishopric; he has taken Durham, and left 2,000 foot and four troops of horse there; at Sunderland he has taken away the Receiver of his Majesty's Customs. He has made proclamations everywhere where he comes, that everyone that has anything

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of his Majesty's shall bring it to him, within 10 days of the publication, on pain of death. His soldiers pillage the country exceedingly, nearly 30 miles on this side of Newcastle. He is called his Excellency; and the clothes he goes to church in were never made for 2,000*l.* a suit. Lord Loudoun is made Governor of Newcastle. We are all in good health, but know not what we shall do. A petition was brought by two lords with 18 lords' hands to it about the 5th of this month, concerning the having a Parliament, which will be known about the last of this month, for the 24th is appointed for a meeting about what shall be done. Account of the review of the army by the King the day before; his Majesty was mightily taken with the sight, and so were all the spectators, especially your ancient commanders, who affirmed they never saw more expert soldiers nor readier upon all commands. It is thought we shall have a winter service, and that a bitter one; for certainly Leslie intends to come no further this year with his army, but pillage the countries thereabout, and take away all their arms. At Darneton [Darlington], 24 miles this side of Newcastle, were some of Leslie's army, but they made no great pillage of the town, only inquired what Papists lived thereabouts, and of what estate they were; as if reformation of religion were the only end they aimed at, but their actions show the contrary, except the Devil be their god. We lie by the walls with 24 pieces of small ordnance, and daily look for larger from Hull, which if we have not we may go towards Newcastle, and return as before, for sakers and 3-lb. bullets will not be matches for demi-cannons and culverins. We have some who come from Newcastle daily, but with hazard of their lives. Leslie swears all the townspeople to the Covenant, and those that refuse he imprisons. Last Tuesday he began to fortify a hill on this side the town, which shows he intends to keep that place, and there is reason for it, because it is worth more to the King in custom and coals than all the revenue of Scotland by far. [*Copy.* 2 *pp.*]

Sept. 11. 32. Account of Sir William Russell, treasurer of the navy, of ship-money received by virtue of writs of 1639, total 36,513*l.* 9*s.* 9*d.* [=2 *pp.*]

Sept. 11. 33. Account of ship-money for 1639, levied and remaining in the hands of the sheriffs, total 11,806*l.*, making, with the 36,513*l.* paid to the Treasurer of the Navy, 48,319*l.* This week were paid in no arrears of former years. The arrears of ship-money were, for 1635, 4,536*l.*; 1636, 6,896*l.*; 1637, 16,832*l.*; and 1638, 13 328*l.* [1 *p.*]

Sept. 12, Westminster. 34. Commission of the King to such of the Council as do not attend his journey into the north, giving them, or any of them, whereof Archbishop Laud, the Lord Keeper, Lord Treasurer, Lord Privy Seal, the Earl Marshal, or Sir Francis Windebank to be one, power to provide for the peace and safety of the kingdom during the King's absence, and in case of any sudden accident of State which cannot endure delay, to make proclamations in the King's name, and to give

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such directions in the ship-money business as they shall think meet. [*Printed in Rymer xx.*, 439. *Unsigned.* ½ *skin of parchment.*]

Sept. 12. 35. Copy of the same on paper, with its docquet subjoined. [13 *pp.*]

Sept. 12. 36. Bond of Richard Bateman, of London, merchant, in 500*l.*, to the King, conditioned for his personal appearance before the Clerk of the Council to answer to such matters as shall be objected against him, within six days after notice left at his house in Threadneedle-street. [*Latin and English. Seal with arms.* ½ *p.*]

Sept. 12. 37. The like of John Royston in 100*l.*, conditioned for his appearance before Sec. Windebank upon one day's warning, to be left at the house of Richard Royston in St. Olave-street, Southwark. [*Latin and English. Three seals with crest.* ⅔ *p.*]

Sept. 12. 38. The Council to Sir W. Denny and Henry Lane, mayor of Norwich. We have received a letter of September 4 from the Mayor and Aldermen of Norwich, wherein it appears by the confession of one Abraham James that a page of Sir W. Thexton, who came lately to the house of Mr. Edmund Beddingfield, of Kirkby, a recusant, was heard to say that Norwich was a fine place, and a proud place, and that there were 12,000 coming, not naming of whom, and that Norwich should be burnt within a week, and that the houses by Bracondell, being reed houses, would burn bravely; which speeches and rumours in these troublesome times have much disquieted the common people. The Mayor using all possible means to have the page brought before him to be examined, although Sir W. Thexton engaged to you, Sir W. Denny, that he should be forthcoming, yet he is conveyed away or kept up and cannot be met with by the Mayor, so that it may be conjectured some ill is endeavoured to be practised, to prevent which, if it be so, we require you, Sir W. Denny, in his Majesty's name, to command Sir W. Thexton, his lady, and Mr. Beddingfield, or either of them, without delay to produce the page, and deliver him to you to be examined by you and the Mayor upon the particulars he stands charged with, and if you find cause not only to commit him to safe keeping, but to do your utmost to find out the ground of the said discourse and prevent the danger, if any be intended, and with all expedition give us an account of your proceedings therein. [*Draft.* 1 *p.*]

Sept. 12, Arundel House. 39. Thomas Earl of Arundel and Surrey to Lord Treasurer Juxon and Francis Lord Cottington, Chancellor of the Exchequer. I have appointed Sergeant-Major James Nolan, particularly recommended to me from the Lord Lieutenant [of Ireland], by Mr. Raylton, to conduct to his Majesty's army near York some Irish officers and soldiers that have come from foreign parts to serve in the present expedition; for performance whereof I have thought fit that 60*l.* be advanced them for their conduct thither, being after the proportion of 15 days' pay for himself and company according to the list of names under his hand, and according to the pay of his Majesty's

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army, as also that 20*l.* more be advanced to Capts. John Birmingham, Bartholomew St. Lawrence, Thomas Revell, and Maurice McDonnell, for their speedy conduct thither. I desire your sudden dispatch of them, knowing how great a scandal they are to this place. [*The Earl Mashal's seal broken.* 1 *p.*]

Sept. 12. 40. Sec. Windebank to [Daniel Tyas], mayor of Worcester. I have received yours of September 7 with a book of the Scottish business, and shall not fail to acquaint his Majesty with your discreet carriage in the business, who I doubt not will interpret it as an argument of your good affection to his service, which pray continue on all occasions. You are to keep Erasmus Astley in prison till further order hence. [*Copy.* ½ *p.*]

Sept. 12, Drury-lane. 41. [The same to Ralph Hughes], sheriff of co. Flint. You are to allow Mr. Peter to finish his building at Holywell, his Majesty being satisfied by certificates from some gentlemen of those parts, as well as by security given by Mr. Peter, that it will not be used as a meeting place for Roman Catholics. [*Copy.* ½ *p.*]

Sept. 12. 42. Sir John Manwood to Sir Dudley Carleton. I did not expect a contradiction of the letter the Lords had given you order for, let me know speedily whether it were to the whole substance of the letter, or to some particular clause [they object], and if the latter omit that clause and so tender it to the Lords to-morrow, else I shall lose the opportunity of having any redress by this ship. [*Seal with arms.* 1 *p.*]

Sept. 12. 43. The same to the same. I shall take it as a special favour if you will move my business about this letter to the Earl of Dorset, the Lord Keeper, and Sec. Windebank as you find fit, and as this letter will more particularly show my desire, or you know best to move in. [*Two seals with arms.* ¾ *p.*]

Sept. 12. 44. List of the officers of Sir Nicholas Byron's regiment, at a muster held at York by the Commissary-General of Musters, by order of the Earl of Strafford, Lieutenant-General of the Army, September 12, 1650. [4 *pp.*]

Sept. 12. 45. List made out by Nicholas of the sheriffs of several counties named who are no more to be troubled for arrears of ship-money due by virtue of writs issued in 1636, 1637, and 1638. [2 *pp.*]

Sept. $\frac{12}{22}$, Camphere. 46. Patrick Drummond to Sir John Hay. The $\frac{6}{16}$th of this month a Scotch ship came to this town which departed from Aberdeen the $\frac{11}{1}$th of this instant. The merchants tell us the fourth man of that town and all the north country were gone to the Dunse Road, and that they have sent back to levy the eighth man. The Master of Forbes with 500 naked rogues came to be quartered in that town; Provost Leslie said they should not be quartered there; Lieutenant-Colonel George Forbes replied that in spite of his nose he would

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quarter them there, and did it, for all the people there are disarmed, having nothing left them but knives to cut their meat. The barons of the north, with 20 of the chief burgesses of Aberdeen, are fast in the Tolbooth, because they refuse to pay the fines levied on them. The silly poor old men left at home in Aberdeen have paid for their liberty 50,000 marks besides the tenth and twentieth penny. [Lieutenant-Colonel John] Monroe with his regiment remained there for three months together and made his progress through the noncovenanters houses, so long as there was meal or any edible, except oxen and kine, which they sold and sold over again at a dollar the piece. They have pulled up by the roots and buried all the plantings everywhere, not sparing the Marquis of Huntley's, where they have [not] left one plant; above all, they have made a fearful spectacle of the Laird of Banff's houses and lands, for not content to have pulled up his planting, they have sawn the joists and taken out of his houses the doors, windows, and all combustibles and reduced them to ashes, and have not left on his whole lands a living beast except Covenanters' lice and such like noisome creatures. I am heartily sorry to see this noble gentleman receive so hard measure on all sides. They have razed to the ground all the houses belonging to the Earl of Airlie. The Earl of Argyle charged the Earl of Montrose with foul dealing before the Tables for suffering Lord Ogilvie and his poor lady, *enciente*, to escape; but they have not left him in all his lands a cock to crow day. They have restrained the Earl of Seaforth and set a guard over him in Edinburgh. The Assembly in Aberdeen has silenced and deprived all the ministers of that town except the knave Guld, who is now principal of the college of the old town, and in the new town they have got Mr. Andrew Cant that "Spurgald sporter." Edinburgh Castle gets in fresh victuals to let them spare their corn; their men say that 14 days ago 17 of the King's ships went up into the Firth, but it seems they are there to little purpose, for another Scotch ship is come to Rotterdam this week, and within these 20 days they have got home from this country. It is constantly related and believed here that the Covenanters took in Newcastle the 2nd of this month, that at a rencounter some 9 miles from that town they lost 1,500 and the English 1,100, but in the end the English all ran away and the others came to the town, Sir Jacob Astley and Lord Conway running away first and commanding the Mayor to deliver the keys of the ports [gates] to the Scots. This is told by an English ship at Amsterdam which came from Newcastle the day after this happened, bringing many passengers The King is here [by report] already deposed and the Queen of Bohemia put in his place, but I hope to see them all hanged or die a more shameful death that say it or wish it. I shall expect to hear from you where the armies are, what they are doing, if the Irish be yet come into England, and if General King is expected from Germany, what has become of the coin, and if all is quiet in the City and thereabouts. The Prince of Orange is sending his army into garrison after they have broken their tether. All your friends here remember their service to you. [*Seal with arms and crest and the motto "Duce fato comite fortuna."* 2 *pp.*]

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[Sept. 12?] 47. Petition of Sir William Howard, second son of the Earl Marshal, Thos. Earl of Arundel and Surrey, and Mary his wife to the King. Whereas King Henry VIII. and Queen Mary by letters patent granted to Henry Lord Stafford and Lady Ursula his wife, and their heirs, the castle and manor of Stafford and other tenements in the borough of Stafford, and in the parishes of Bradley, Billington, Coppenhall, Littywood, and elsewhere in co. Stafford, found by inquisition to be of the yearly value of 30*l.*, and the honours of Gloucester and Hereford, in co. Gloucester, together with the manors of Thornbury, Falfield, Newnham, and Oldland, in co. Gloucester, found by inquisition to be of the yearly value of 13*l.* 6*s.* 8*d.*; and whereas the petitioner, Mary, as sister and sole heir of Henry late Lord Stafford is by virtue of the said grants tenant in tail of the said premises and is thereof actually seized, and both petitioners desire to settle this their estate to the best advantage of them and their posterity, their father and mother being disposed to settle on them and their issue lands of good value of their own inheritance, to which their intention your favour in vouchsafing to pass the reversion now in the Crown before mentioned will contribute much. May it therefore please you, the value being small, and there being 12 persons at least of the issue in tail now living, and so long as any of them or their issue shall be remaining no benefit by the reversion can come to the Crown, to grant petitioners the reversion remaining in the Crown of all such of the castles, manors, &c. as by the aforesaid letters patent descend to your petitioner, Mary, in such sort as your Attorney General or other of your learned counsel shall think meet. [1 *p.*]

[Sept. 12?] 48. Summary of proceedings between Sir William Howard and Roger Stafford concerning the barony of Stafford. This paper sets forth that after the death of Henry late Lord Stafford [in 1637] Sir William Howard marrying Mary, his sole sister and heir, came into possession not only of Stafford Castle, which is the head of that barony, but of all other the lands granted by Henry VIII. and Queen Mary to a former Henry Lord Stafford, son of Edward Duke of Buckingham, beheaded in 1521, which lands were not sold by the ancestors of the late Lord Stafford. In November 1637, Roger Stafford, who pretended to be heir male to Henry Lord Stafford [being son and heir of Richard, younger son of the said Henry] claimed this barony by Act of Parliament, 1 Edw. VI., and would have treated with the Earl Marshal concerning the interest to that barony, but the latter refused to do further than he should be directed by the King. Hereupon Roger Stafford, in December following, petitioned the King, and having set forth his pretences as well to the barony as to all the lands which where the late Lord Stafford's, prayed the King in a summary and short way to restore him to the said honour and premises. The King having referred the examination of his pretences to the Lord Privy Seal, the Earl of Dorset, and Sec. Windebank, they upon sight of the several letters patent found that without controversy all the lands and possessions whereof Henry Lord Stafford died seized descended to the Lady Mary Howard, his sister and heir, but, because Mr. Stafford had then no

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counsel, he was by the said Lords willed to bring his counsel instructed in his cause the next day to the Council Chamber, which he did. That day being the 5th of November 1637 Sir William Howard and Roger Stafford with his counsel attended the Lords referees at the Council Chamber, where the title being debated it was by Mr. Stafford's counsel acknowledged that all the lands descended to the Lady Howard, which being known to the King, and some learned men being of opinion that by a reasonable construction of the said Act of Parliament she was also entitled to the barony, which before the attainder of the Duke [of Buckingham] descended to the heirs general of that family, it was his Majesty's pleasure to assume the cause into his own hands, whereupon both Sir William Howard and Mr. Stafford submitted themselves to the King's judgment, and subscribed to the submission then made and ratified the 23rd of September last before the said Lords and afterwards the same day before his Majesty. After which second submission his Majesty, considering the pretence of the Lady Howard who has the castle of Stafford, and all other lands which were her brother's, and that Roger Stafford had no means to support the title and dignity of a baron, having no estate at all, nor was himself any way qualified for such an honour, did declare his pleasure to be that Roger Stafford should surrender and resign all his claim and interest to that barony to his Majesty and that the Earl Marshal should secure him 100*l.* per annum during his life, which the Earl Marshal has done and given him 100*l.* in money, besides above 150*l.* more which he expended upon him otherwise. In pursuance of which his Majesty's pleasure Roger Stafford by his deed dated 7th Dec. 1638 resigned the said title and dignity to his Majesty and acknowledged the same before a Master in Chancery, which deed is enrolled in the same court and is remaining in the hands of the Attorney General. [1 *p.*]

[Sept 12?] 48A. Copy of the same. [1 *p.*]

[Sept. 12.] 49. Warrant [to the Attorney General] to prepare a Bill to pass the Great Seal, containing a grant of the barony of Stafford to Sir William Howard, and Mary his wife, sister and heir of the late Lord Stafford, with the same place and precedence as he enjoyed; the same to descend to their heirs male, or in default thereof to their heirs general, as it stood anciently in the entail. [*Draft.* 1 *p.*]

Sept. 13. Warrant of Council to Henry Davis, a messenger, to fetch up Walter Hungerford, clerk. [*Docquet.*]

Sept. 13. 50. The like to Lord Treasurer Juxon and Under-Treasurer Lord Cottington to issue 80*l.* for the conduct of Irish officers and soldiers to the army at York. [*Printed in Rushworth iii.*, 1267. *Draft.* 1 *p.*]

Sept. 13. 51. Order in Council. His Majesty having directed Lord Goring, in the absence of his son, Colonel Goring, governor of Portsmouth, to repair to Portsmouth and there take order as well as may be for fortifying the place; it was ordered, that the Earl Marshal be hereby prayed to give warrant, according to the power given by his

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Majesty's commission to him as Lord General on this side Trent to Lord Goring on behalf of his son for levying 200 soldiers and such officers as he shall think fit for strengthening the garrison according to a proposition presented to his Majesty by Colonel Goring before his departure to the north and since approved of by the Lords. [*Draft.* 1 *p.*]

Sept. 13. 52. The like. Whereas Edward Boulton, Thomas French, and Margaret Weblyn, owners of lime kilns, complain by petition that having long supplied lime to all bricklayers and others who use lime in London and suburbs and the adjacent counties, they cannot now get coals from the merchants or woodmongers to keep their kilns going, though the price they ought to sell at is only 19*s.* the chaldron, petitioners have offered 21*s.* the chaldron, and would give any money in reason to be furnished with coal, being bound by covenant to supply the artificers with lime who are now building for persons of quality, which buildings must of necessity suffer. It was ordered that the Lord Mayor of London be required to send for the coal merchants and woodmongers complained of, and to deal effectually with them for furnishing petitioners with coals sufficient for their kilns at prices allowed by the Lords; which if they refuse to do he his to certify the Board of his proceedings, who will take further order therein. [*Draft.* 1 *p.*]

Sept. 13, Hampton Court. 53. Notes by Sec. Windebank of the proceedings of the Council held at Hampton Court this day. Capt. Nolan, for the sending away of the Irish; for 80*l.* for them. The Lords at Hampton Court have intelligence that Leslie instead of going to York intends to go to Hull. Mr. Nicholas to go to the Lord Keeper and desire from the Board that no corporation of foreign plantations be renewed until the Board be made acquainted with it. Capt. Venn [Fenn], a son of Alderman Venn [Sir Richard Fenn], the London petition. [Fortification of] Portsmouth moved to the Board this day, and ordered that Lord Goring go down presently and orders to be dispatched presently for it. Lord Goring will be at York at his Majesty's day notwithstanding his going to Portsmouth. Mr. Comptroller [Sir Thos. Jermyn] has written to the Governor of Jersey concerning the defence of it. He wants guns. The King to be written to concerning these guns. The Earl of Danby to be written to to go instantly down. [½ *p.*]

Sept. 13. Notes by Windebank of his proceedings in the King's absence. I wrote to his Majesty an account of what passed in Council at Hampton Court; of the Irish [officers] sent away by Capt. Nolan; of Portsmouth, Jersey, Guernsey; concerning guns for Jersey. To Mr. Treasurer Vane in answer to his of the 11th. [*See Aug.* 20, *vol. cccclxiv., No.* 45. 4 *lines.*]

Sept. 13, York. 54. Sec. Vane to Sec. Windebank. To-day the Lord Lieutenant [of Ireland] received the blue ribbon. Here has been much ado to dispose the gentlemen of Yorkshire to levy two months' pay for their trained bands; and last night a petition was agreed upon by

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the gentlemen in a high strain, concluding as the 12 Peers did for a Parliament. But this afternoon, the Lord Lieutenant appointing to meet all the lords and gentlemen of the county in their great hall, after much debate it was overruled by the majority of voices to reject the petition, and it was resolved to make a levy in the country to pay the trained bands until the 24th current, after which the Lord Lieutenant brought them to the King and declared so much to him in their presence, with a further declaration that after the 24th, they hoped with the Peers to give his Majesty further satisfaction; this was done with much alacrity. Whereupon his Majesty spoke to the gentlemen and declared that after this present occasion he would ease them and take off from them 6,000 foot, free them at present from their escuage, and if any of their colonels or chief officers were killed in the present service, he would give them their wardships if their heirs were under age. This gave them great contentment and his Majesty was therewith so well pleased he commanded me to make a despatch to you thereupon. This good example in Yorkshire I hope will induce the counties in the south to do the like. [*Endorsed:* "Mr. Treasurer Vane by Sir Henry Hungate, received 14th; answered 16th." 2 *pp.*]

Sept. 13, Thornton. 55. Sir Edward Tyrrell to the same. I have in obedience to yours of August 20th last with my fellow deputy-lieutenants taken order in the absence of our Lord Lieutenant for the readiness of the trained band of our county [Bucks.], and according to the honour given me by your letters I have appointed Lord Weyneman to bring them to the rendezvous when time shall serve; but though he refuses not the service he questions my authority and requires the hands of six of the Council for his warrant. The honour you do me to appoint the person somewhat troubles my neighbour, Sir Alexander Denton [late sheriff of Bucks.], who, to use his own phrase, quarrels at my superintendency and makes doubtful constructions of your commands by those your letters to me; therefore I entreat, that as you have thought me worthy to appoint the man, and I having nominated Lord Weyneman to dignify him, who I conceive takes it not otherwise, that now, unless you dislike the person, you will justify me in your next and clear me of undertaking more than you appointed. [$\frac{3}{4}$ *p.*]

Sept. 13, Boothby-Pagnell. 56. Robert Saunderson to Archbishop Laud. I have according to your appointment copied out my two sermons on 1 Cor. x., 23, in the words they were delivered as near as I could remember, saving that I have inserted a passage or two, noted in the margin, which were forgotten in the delivery. After my return from waiting, for weeks I could not write them because of boils, the dregs of my last year's ague, stirred with travelling in that hot season, and since I finished them they have lain by a good while for want of means to convey them up safely at this dead time of year, till at length Mr. Ric. Thornton, of Herts., has undertaken to deliver them to you. But meantime, finding to my great grief, by the speeches of some in these parts and letters from others further off, the great

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distaste in the kingdom generally at the oath enjoined by the late canons, I held it my duty rather to hazard the reputation of my discretion than not faithfully to advertise you thereof. The oath I have perused, and examined such exceptions to it as came to my knowledge. In all which I find no such just scruple but that I fully resolve by God's grace, unless I see stronger reasons to the contrary than I have yet, to take the oath myself, and to endeavour as much as in me is to remove the scruples of others that boggle at it as I have already done to some, I hope, with good success. But I hear there are divers papers that pass secretly from hand to hand containing large collections of reasons against taking the oath, two of which I saw in the hands of a stranger who passed this way, but could only cursorily look over the heads of the chief arguments, and have never since met with copies of any such papers. But the sight or at least the buzz of them it seems has wrought such a prejudice against the oath in both laity and clergy, that I am much afraid multitudes of churchmen, not only of the preciser sort, whose dislike is the less to be regarded because they like nothing not of their own desiring, but of such as are otherwise every way conformable will utterly refuse to take the oath or be drawn to it with much difficulty. Whereby how far the disaffection already too great in most of our people to all public proceedings may be increased, what encouragement may be given to the Scotch rebels and their favourers, and what other inconveniences may ensue, I cannot judge. Unless either by his Majesty's special direction the pressing of the oath be forborne for a time till his further pleasure be made known, or some short explanation of such passages in it as from their ambiguity are most subject to cavil and misconstruction be sent to all persons empowered to administer it, to be publicly read before tendering it, or some other provision be made for removing those scruples or prejudices so many are so deeply possessed with, the peace of this Church is apparently in danger to be more disquieted, though there be little cause, by this one occasion, than by anything that has happened in our memories. [*Seal with device.* 2 *pp.*]

Sept. 14, Wonastow. 57. John Milborne, sheriff of co. Monmouth, to the Council. Of the 1,500*l.* ship-money charged on my county, I have already paid 400*l.* and have now sent up 400*l.* I have also taken undertakings in writing from the officers for payment of the rest in a short time which shall be sent up when I receive it. I have been and am constrained to send my own servants authorized by warrants to assist the officers, some distresses have been taken, but no buyers are to be had, and in some towns when they perceive those officers to come in for execution of the service the inhabitants charged with payments make fast their doors, so that as yet distress cannot be had without breaking open their houses. I have also given warrants to apprehend such delinquents, which cannot as yet be fully executed; some stand committed and the rest I hope to have. I beseech your further directions what course to take with those officers that have undertaken already, if they fail of performance, and with the townsmen that keep their doors fast from distress and

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themselves from apprehension; and that the values of the distresses which cannot be sold may be allowed in the sum charged till sale can be made. [*Endorsed by Nicholas:* "Received 18th October [September ?], to be read." *Seal with device.* 1 *p.*]

Sept. 14, Worcester. 58. Sir John Winford, sheriff of co. Worcester, to the same. According to your command I have sent the enclosed affidavits signifying the neglect of those gentry and others mentioned in my certificate of July 13; whereby you will find I require no further assistance from the constables than what is requisite to enable me to effect this service, for unless they be compelled to give me the rates and show me the lands and goods of the inhabitants in their constablewicks, I hope you will conceive me utterly disabled in this service. And there being none to be hired to assist my servants in carrying away or receiving distresses, I hope you will think it fit the constables should assist, seeing that no parish will pay till they are distrained, and no constable will take a distress but requires assistance from me; and when I send my servants they will not be at home, or will do nothing in the service, because, they say, they are so threatened by the country. And if I should be driven to take every distress to a common inn, which might be 5 or 6 miles distant, it would take so much time I should be able to give but a slender account of the service, because there are but few I can get to undertake this employment. I might justly have accused the whole of neglect but hoped the example of some would reform the rest. Those constables that are most negligent and accuse their parishioners of the greatest obstinacy being attached by the messenger can straight procure the greater part of the money, giving assurance for the speedy payment of the rest and procure the best of the parish to mediate for them, which I conceive makes it evident, as some have confessed, that they dare do nothing but what the parish allows, and some that have been formerly attached have confessed the parish promised to bear them out. I wish you knew with what opposition I proceed in the service, or that I could relate how many devices I have found in the constables to decline it, that you might not impute it to my negligence. [*Endorsed by Nicholas:* "Received 22nd Sept." *Seal with arms of the county.* 1 *p.*] *Enclosed,*

58. I. *Affidavit of Meredith Heath of the neglect of the following constables: Francis Mickleton, of Wickhamford, Richard Ardway, of Broadway, —Smith, of Blackenhurst, John George of Badsey, Thomas Montford, of North Littleton, and Thomas Phillips, of South Littleton, in the ship-money service, and that John Goodwin, gent., of Combe, John Clarke, gent., of Mickleton, co. Gloucester, and Richard Scarlet, of Hampton Magna, rescued distresses of their goods.* 10 *Sept.* 1640. [1¼ *p.*]

58. II. *The like of Thomas Solley to the same effect.* 10 *Sept.* 1640. [1⅛ *p.*]

Sept. 14, The Leaguer, beside Newcastle. 59. The General and Committee of the Scotch Covenanters to William Lord Lanerick, Secretary of State for Scotland [sent by Sir Peter Killigrew]. We cannot leave to represent to you that we

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extremely regret the delay of time to the 24th of this month especially seeing it is for the meeting of the Peers and not of the whole [English] Parliament, by whose advice only matters can be composed; and as every day gives occasion of heavier prejudices to both nations, so we apprehend that the longer our grievances are in redressing, and our losses in repairing, the more difficult will be the remedies and the greater our engagements, which we hope his Majesty will take into his gracious consideration as a business so often remonstrated and so highly importing the glory of God, his Majesty's honour, and the weal of his kingdoms. None of his Majesty's subjects are detained by us but such as were taken in a military way and who carried arms against us in a hostile manner, and as we have ever studied to give all dutiful obedience to his Majesty's just commands, so we are ready to release the officers and soldiers taken prisoners on assurance of his Majesty's just favour of the like release to any of ours who shall happen to fall into the like condition. We have many times humbly supplicated his Majesty to set free some of our countrymen who were taken in this kingdom, whereof Alexander Cunningham, who lies in the Fleet, for not taking an oath contrary to the National Covenant, is one, and the Laird of Lochtour, who was taken to Berwick as he was going to his home, is another; and howbeit we have had no answer, yet we must still humbly petition his Majesty to release these two and all others who are taken for our cause, who have not committed any offence against his Majesty's laws censurable in England. [*Endorsed by Sec. Windebank:* "Copy of the Scotch rebels' letter to Lord Lanerick of September 14; received from Mr. Treasurer Vane [Sept.] 18." 1 *p.*]

Sept. 14, York. 60. Sec. Vane to Sec. Windebank. I perceive by Lord Cottington's letter as well as yours that 42,000*l.* is all that is to be expected; he says it shall come away with all diligence, but specifies not the time; but it is not this will do the business, and I much apprehend the Earl Marshal will not be able to divert the citizens [of London] from petitioning his Majesty for a Parliament, the distemper grows so universal. It is advertised to this Court, as well as by yours to the King, that [the Earls of] Hertford and Essex set out from London towards this place to-morrow, and that few of the other nobility will be here at the appointed day of meeting; should it fall out so, it were not well, but in such case it is to be considered whether it should be held or not, and that I conceive is worthy of the Lords' advice above, who are at the place and may first and best discover the same. For the Turkish ambassador, his Majesty's answer is he may yet stay where he is; for the Danish, he hears nothing yet of his errand, nor do I, his Majesty bids me tell you, when he doth both the Lords and you shall have knowledge thereof. At the Lord Lieutenant's instance, the better to induce the Yorkshire gentlemen to grant a month's pay for their trained bands, his Majesty has promised them not only to take off 6,000 of their 12,000 soldiers for the future, but to remit their escuage, and to give [them] the wardship of all who shall die in this service. I knew not of it until

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his Majesty had declared it to the gentlemen. The other counties he has sent to to rise with their forces, will no doubt expect the same, and so will the rest of the counties in the south, if they shall have occasion to rise; and therefore you will do well to communicate this business to the Earl Marshal and Lord Cottington, for this of the wardships may be of consequence, and so I have told his Majesty. The Lords and you may do well to advise hereupon, and then let me know your opinions, for in the other adjacent counties I have advised his Majesty only to remit the escuage, and that concurs with my Lords' opinions for suspension of the proclamations. The Scots are busy fortifying Newcastle, where four ships have lately arrived out of the East country with corn, so their [the Scots'] army is provided for six months, besides Northumberland and the Bishopric [of Durham are] at their devotion, out of which they will draw great profit and convenience. I doubt you in the south do not yet apprehend the conquences of the loss of Newcastle, but a little time will make them apparent; I cannot find how it is possible, let his Majesty draw together what force he can, to get them out of that place this winter; so you may see clearly in what condition his Majesty's affairs are. They plant garrisons and take up their winter quarters throughout Northumberland and the bishopric, and so they may, for his Majesty's army cannot be fit to fight these six weeks; in what state we shall be by that time for money you above know better than I, and may better foresee the events, if God Almighty send not more unity amongst us. [*Endorsed by Sec. Windebank:* "Received by Mr. Tyrwhit Sept. 15, answered 16th." $3\frac{3}{4}$ *pp.*]

Sept. 14, Newcastle. Tobias Knowles and William Hamilton, commissioners appointed by General Leslie and the Committee for ordering the business of the Scotch army, to George Gray and Anthony Smith, collectors for the Dean and Chapter of Durham. We, understanding that the tenants of the Dean and Chapter have rents in their hands due at St. Cuthbert's Day last and rents that will fall due at Martinmas next with tithes and other profits, these are by virtue of our commission to require you to inquire for and search out all the rents, tithes, and profits belonging to the Bishop of Durham, the Dean and Chapter, or any their associates or Papists, enemies to this cause and expedition, and to give in their names with a schedule or inventory of their goods, rents, and profits whatsoever, and you are to warn the tenants of the manors here specified not to pay any rents to the Dean and Chapter, but towards the relief and maintenance of the [Scotch] army as they will answer the contrary. Those that shall refuse to pay as directed we charge you to return their names in writing that such further course may be taken with them as shall be thought fit by General Leslie. [*Printed in Rushworth iii., p.* 1268. *See Sept.* 4, *vol. ccccl.xvi., No.* 42, *p.* 32. Copy=$1\frac{2}{3}$ *p.*]

Sept. 14, York. 61. [Dr. Pocklington to Sir John Lambe]. On August 29 the King removed from York to North-Allerton, 24 miles, intending to pass to Durham, and so on to Newcastle, to draw up his army and so keep the Scots from passing the Tyne, but before he came to North-Allerton tidings were brought that the Scots had passed the river

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and defeated our men, whereupon after service on Sunday morning [Aug. 30] betimes, we all returned with all speed to York, and his whole army, horse and foot, followed him, to the great discomfort and lamentation of the whole country. The Scots marched without resistance to Newcastle, seized the keys of the town, granaries, magazines, and castle, and made the Mayor and Aldermen attend their General in a most servile manner. This mischief might have been prevented if the town and adjacent countries would have supplied Sir Jacob Ashley with 3,000*l.* to draw up an army for their defence, but they answered they could not possibly levy so great a sum; and now these very men have compounded with Leslie to pay his army about 12,000*l.* every month. About the time the Scots defeated us God gave them the greatest blow they ever yet received, for the Lords and others to the number of 150 left to order the affairs of the country, after the departure of their two armies, one under Leslie against us, the other under Argyle against the Irish, were by an unknown accident blown up with gunpowder. The King has a goodly army of about 30,000 about York, but they move not. The Lords of the south have petitioned the King to summon a Parliament and compose the matter without blood. The names of the Lords I have subscribed are Beds., Herts., Essex, Warwick, Rutland, Bolingbroke, Exeter, Mulgrave, Say and Sele, Mandeville, Howard, and Brooks. The King has appointed the 24th of this month for all his Peers to meet at York, and his answer to their petition is that they and the rest may then propound what they think fit. This may be some cause why the army advances not, yet some troops of horse are gone towards North-Allerton. The nobles, gentlemen, and yeomen of Yorkshire met at York this last week and yielded very cheerfully to maintain 12,000 of the trained band for a month to do the King service. Sir Francis Wortley in my hearing told the King he had brought 100 gentlemen volunteers to do him service at their own charge, and the King asking what armour they brought he told him good hearts and good swords. Lord Fairfax has also brought 100 volunteers. I would the south were as forward as the north, the Scots would then have small joy to stay here long, much less to send for their wives to Newcastle as they have done. To-day I hear the Scots have sent the King another petition to this effect, that if he will summon a Parliament, as the Lords of the south have desired, they will be content to be disposed of as it shall think fit. Perhaps you will imagine there is some correspondence between the petitioners on both sides. It is certain the Scots' first petition came only a few days before Lords Mandeville and Howard brought the petition of the Lords of the south to the same effect, and now the Scots have backed their petition with another to like purpose. Twelve thousand Irish lie ready to land when the King calls for them; six great pieces of ordnance were yesterday brought through York to the army, which for the most part lies in tents, and very many soldiers are billeted in the town. The King has appointed all the bishops also to meet with the Lords on the 24th of this month, and it is no more than need requires; if the buzzes about Court are to be

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regarded no good is intended to the Church. The King has given the Lord Lieutenant [of Ireland] the Order of the Garter [13 Sept.], who well deserves it, for he has wrought both the north and the Irish to be forward in his Majesty's service with about 24,000 men. The Irish are said to bring with them half a year's provision. One main grievance in the Lords' petition is that Irish forces are reported to be coming, and that the Papists bear arms when by law they are to have none. This day upon news [being received] that the Scots had taken Yarme, in Yorkshire, 6 miles from Northallerton, and so had free passage over the Tees to Cleveland and Hull, and whither they would, the King sent 2,000 horse and 4,000 foot to entertain them. The 4,000 foot that were on their march to meet the Scots are recalled; so hard it is to write any certain news. Their army is poor, beggarly, and weak, without armour or any considerable munition; if the King would give our men leave to advance, and they would fight and not basely run away and throw away their arms, as they did before, the Scots could not withstand them at all. [1⅓ *p.*]

Sept. 14. 62. Certificate by Commissary-General Pinckney of bread delivered to several quarter-masters on their receipts out of his Majesty's magazine at the Trinities, to the value of 20*l.* 10*s.* 3*d.*, or corrected total, 12*l.* 15*s.* 3*d.* This is followed by a receipt of Ralph Crippes, deputy to Commissary Pinckney, for the above sum of 12*l.* 15*s.* 3*d.* from the several quarter-masters and for the sum of 15*l.* 4*s.* 6*d.* from Matthew Bradley, deputy to Sir Wm. Uvedale, in full of all those moneys staid mentioned in this bill of stays given into this office for provisions. 5 Nov. 1640. [1½ *p.*]

Sept. 15. 63. Petition of the Ministers, Schoolmasters, and Practitioners of Physic in the county of Dorset and diocese of Bristol to the King. They have hitherto submitted to the government ecclesiastical by archbishops, bishops, &c. established within this realm and intend to do so for time to come. There is at present urged on them an oath strictly forbidding their consent to any alteration of the said government at any time hereafter. Now, forasmuch as the oath is in ambiguous terms and subject to doubtful construction, and because petitioners conceive it implies a contradiction to the Oath of Supremacy formerly taken by them, since they must by this oath swear never to consent to the alteration of things in their own nature alterable, and which may on just cause be altered by that supreme power wherewith your Majesty is by the laws of this realm invested in matters ecclesiastical, which by their former oath they have acknowledged, and promised to you, your heirs and successors, all obedience thereto; petitioners therefore, invited by your promise in your late Declaration of relieving the just grievances of your subjects, beseech you to order that this oath, so grievous to the consciences of your loyal subjects, may not be imposed on them. [*Copy.* ⅔ *p.*] *Subjoined,*

63. I. *Petition of the same to the Council. That the Lords would so far tender the annexed petition of your suppliants to his Majesty as to procure from him a gracious answer to it,*

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to ease the consciences of your suppliants. [*On same paper. Copy.* ½ *p.*]

63. II. *Part of a letter of intelligence to Bishop Skinner, of Bristol, concerning the oath in the canon. I sincerely profess to you, however at several times I have discoursed with divers about it, and have given a competent resolution to such as have addressed me for satisfaction, that at the receipt of your letter I was utterly a stranger to there being any petition against it; and finding on inquiry that Archdeacon Rives and Mr. Pitt had not heard anything of that business, I was forced to seek further for intelligence and at last certainly learnt, first, that a draft of a petition was tendered to Mr. Swayne, vicar of Sturminster, who refusing to subscribe, acquainted me that he only saw Mr. Curry's name set to it, a forward curate in your diocese; secondly, that Mr. Bernard, rector of Clenston, brought for the same purpose the like petition to Mr. Talbott, vicar of Milton, who gave me a copy which I enclose; from whom I understand that for greater secrecy in the business, Mr. Bernard signified to him, it was not desired at present he should set his name to the petition but only afford his assent, and if he would yield to that that hereafter he should be called upon for his name; thirdly, that Mr. Welstead, rector of Bloxford, a Peculiar belonging to the Dean of Sarum, solicited Mr. Highmore, rector of Stickland, with the like petition but was denied. So that the petition stirs very coldly in these parts, though about Sherborne I have heard they are more active in it. Endorsed by Archbishop Laud: "Received October 2nd, 1640, from the Bishop of Bristol: 1, the copy of the petition in Dorsetshire against the oath; 2, a branch of a letter to the bishop concerning it."* [*Copy.* ¾ *p.*]

Sept. 15. 64. The Council to the Commissioners of Sewers. By a petition presented to the Board in the name of Sir Anthony Thomas and his adventurers, &c., we find they complain of the proceedings of some of you, the Commissioners of Sewers for the level of the East and West fens beyond Boston, for taking land from them for defects of works, and for sequestering the profits of their lands, also for heavily and needlessly taxing lands, and proceeding to raise the rate with violence, and have appointed Wednesday next to finish your Acts. It is the intention of the Board, some time next Term, to hear the differences complained of, and meanwhile to command you to forbear to finish or execute any your acts made or intended to be made on the 16th of this month, concerning the undertaking of Sir Anthony Thomas, and that you cause the profits you have received on the tax to be repaid to the parties from whom you received them as also that they may enjoy the rents and profits of their lands; and for the works, that you permit Sir Anthony to continue his course without employing any other to interrupt him until the differences shall be heard and determined by us; and that you take effectual order that

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the banks of the Witham, near Dogdike or Wildmore, and the banks of the Leam, near Steeping, be repaired and kept without prejudicing the said undertakings. [*Draft.* 1 *p.*]

Sept. 15. Office of Ordnance. 65. Certificate of Officers of Ordnance, by command of the Earl of Strafford, Lieutenant General of his Majesty's army, of the arms delivered to the regiments of Colonels Hamilton, Brett, and Hammond, and of those received from them again at their late disbanding; with an account of the value of those that are wanting. [9⅔ *pp.*]

Sept. 15. 66. [Statement by Sir Robert Mansell to Sec. Windebank] of the condition of his works near Newcastle for manufacture of window glass. I had three furnaces here fully manned and at work when the Scots came before the town. Window glass, 1,200 cases, worth 1,500*l.* made and packed ready to be shipped for the use of London and the southern and eastern parts of the kingdom. Above 4,000*l.* laid out by me in that place and remaining there in building, provisions, and other necessaries for furnishing the kingdom with window glass. All three furnaces were in excellent working order with fires in each and the pots full of metal when my workmen with their wives and families fled for fear, to the number of 60 persons, who now demand dead wages, which I must undergo to prevent their leaving the kingdom, which would disable me from furnishing these parts with that sort of glass, and for a time hazard the manufacture itself. If the Scots should continue the possession of that place I shall not be furnished with sufficient coal to uphold the glass works in London, which would totally destroy the manufacture, and force all the glass-makers, being strangers, to quit the kingdom and thereby to occasion my loss of 20 years time and expense of 30,000*l.*, besides the charge of perfecting the work with coal, which brings a constant revenue to the Crown and is divers ways beneficial to the whole kingdom. I am this Michaelmas to pay into his Majesty's Exchequer 750*l.* for my half year's rent, and to satisfy the Earl of Kinnoul 300*l.* by his Majesty's order, which amounts to 1,050*l.* The maintenance of so many families when I can neither have glass made to countervail my charge nor sell any that is made and paid for may prove an insupportable loss, which from its uncertainty I forbear to estimate. My suit to you is that my hard condition may be represented to his Majesty with the danger I am in from want of glass, wherewith I am tied by contract to furnish the kingdom, unless his Majesty direct me some remedy or refer me to the consideration of the Council at Whitehall, who may have power to authorize me to return my workmen to their employment and to employ two, three, or four ships to fetch away my glass, and to bring coals with them to enable me to uphold my works in London, and which will prevent the clamour of very many families that live by glass, and in some measure relieve the City with fuel. [*Endorsed:* "Sir Rob. Mansell, 15 Sept. 1640." 1½ *p.*]

[Sept. 15.] 67. Thos. White to Sec. Windebank. I understand you have sent out a warrant for my speedy apprehension, which I could have

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wished otherwise, since on your least summons I would without a messenger have waited on you. The cause, I conceive, may arise from a paper I sent his Majesty [*see* 10 *Sept., No.* 13], touching the general murmurs, collected out of the public discourse, which on consideration of the present troubles, and out of a loyal conflict with myself, I thought in many points might be useful to his Majesty. How distant some pieces thereof may be from truth and how much athwart his secret intentions, I do not determine. Wherein if you think me over busy and without a calling to intrude on the office of his counsellors of State, I beseech you to understand me aright, and remember I am one of the mean ones carried in the public bark, now in a most impetuous tempest, where I aspire not to steer, but would not be wanting in my labours at the pump, or any office befitting my condition; for shipwreck is imminent, and I am one of the 40,000 in this kingdom who are now ready to starve with meat in our mouths through those horrid intestine divisions. I would do what I can in the common help for my King, especially because I have somewhat else to offer at his sacred altar, whereunto I was formerly enjoined by his own command, where I shall loyally prostrate myself at the instant of his Majesty's return; when I wish his Grace of Canterbury and you might be made partakers of my loyal oblation. And I shall give such an account of that mission and the end thereof as may move you to believe I am neither Papist nor Atheist, Puritan nor Covenanter, but an honest and most conformable subject. [*Endorsed*: "Mr. White; in defence of something he had written to the King and thereupon sent for by a messenger." 1 *p.*]

Sept. 16. 68. Council warrant [similar to that already calendared under date Sept. 11] for his Majesty's auditor and receivers of his revenues in cos. Northampton, Rutland, Warwick, Leicester, Stafford, Hereford, Salop, Lancaster, Westmoreland, and Cumberland, or their deputies. In regard these counties are full of soldiers commanded to be at their places of rendezvous and there are now more than usual loose and idle wandering persons who, if they shall understand that moneys are received and transported from place to place, may plot and endeavour to make themselves masters thereof to the great predjudice of his Majesty and danger to the auditor and receivers, these are in the King's name to charge all mayors, sheriffs, deputy-lieutenants, justices of peace, and others his Majesty's officers and loving subjects to be aiding and assisting to the auditor and receivers not only in suppressing all disorders that may happen at the place of their keeping the said audits but in their travelling from place to place with the King's moneys, and for that purpose if required to furnish them with a convoy. [*Draft.* 1½ *p.*] *Underwritten,*

68. I. *The like warrant for William Watkins, receiver of his Majesty's revenues for cos. Carmarthen, Pembroke, Radnor, Cardigan, Brecon, Monmouth, and Glamorgan, or his deputies. Dated Sept.* 16. [4 *lines.*]

68 II. *The like for Mr. Auditor Gwynn for cos. Nottingham, Derby, Lincoln, and the co. palatine of Chester.* 27 *Sept.* [3 *lines.*]

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Sept. 16. 69. The Council to the Lord Mayor and Aldermen of London, to stop the intended petition of the City to the King. [*Printed in Rushworth iii.*, 1262. *Draft.* 2 *pp.*]

Sept. 16. 70. The same to the Lords Lieutenant of the several counties on this side Trent, for having in readiness sundry military provisions and tools for making defensive works, and to take care that the magazines be stored with powder, shot, and match. [*Printed in Rushworth iii.*, 1268. 2 *pp.*]

Sept. 16. 71. Another copy of the same. [A note underwritten to the effect that "Thomas Worleage, of Thames-street, London, dyer, having been bound over to attend the Board, entered his appearance." [*Draft.* 2½ *pp.*] *Annexed,*

71. I. *List of the counties to which the above letter was to be sent.* [*Rushworth iii.*, 1269, *gives this list correctly, except that he omits Sussex.* 1 *p.*]

Sept. 16. 72. The same to [the deputy-lieutenants of divers counties], concerning the defraying the expenses of conveying the trained men to their place of service. [*Endorsed by Nicholas:* "Minute of letters to divers deputy-lieutenants;" *but printed in Rushworth iii.*, 1269, as "a letter to the Lord Lieutenant of Dorset, and in his absence to his deputy-lieutenants." *Draft.* 1½ *p.*]

Sept. 16. 73. The same to the Mayor and Burgesses of Wilton, co. Wilts. By a petition presented to the Board by Wiliam Hewes, clerk of the check to the messengers of the Chamber, whose family reside at Wilton, we perceive that in 20 years he has been three times elected mayor of Wilton, which he underwent, and that now without regard to time or the necessity of his being here in his Majesty's service you have again chosen him for your mayor this next year and intend on the 2nd of October to elect him or fine him. We, therefore, because his Majesty's service requires now more than ordinary his attendance on his place, expressly command you to forbear not only from choosing Hewes for your mayor or to fine him but to free him from all other offices in that town. [*Draft.* 1 *p.*]

Sept. 16. Whitehall. 74. The same to Henry Earl of Danby. It is the King's pleasure you repair at once to your government of Guernsey, and defend the island against all assaults. [*Draft.* ¾ *p.*]

Sept. 16. 9 a.m., Whitehall. 75. Notes by Windebank of the proceedings in Council. The letter to the Lord Mayor from the Scotch rebels dated 8th September. A copy of the rebels' [letter] to be sent to the King and not the original. An oath likely to be tendered and ministers ride abroad frequently. The Earl Marshal's motion to write to the King, that presently he declare the calling of a Parliament that he may have the honour of it himself. What the Archbishop of Canterbury has

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written to the King now concerning the present declaring of the Parliament my Lords are fallen upon. This it is thought will stop all petitions. A letter to the Lord Mayor and Aldermen concerning the petition, that it is a shameful one and unreasonable; the Lords cannot believe the City will be so undutiful. The Earl Marshal is of opinion that this business of the great ships of Newcastle should be debated at the meeting of the Lords [Peers at York], and in the meantime the Lords are of opinion there should be no trade. They are divided here in opinion between the discontentment of the City and the furnishing of the rebels, and therefore it is fit for the Great Council of Peers. The Trinity House not to be spoken with. Printing. Offer of the Earl of Bristol's son. The drawing of the forces of the counties to the confines not approved, because of the charge and former disorders; they are mustered every week and as much is done as amounts to it; they have answered they are ready and will go when commanded. Any nobleman and gentlemen that will exercise may do it, and a letter [to be] written to that purpose. The Archbishop's letter. Earl of Salisbury, pensioners. [$\frac{3}{4}$ *p.*]

Sept. 16. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty, and sent him the rebels' letter to the Lord Mayor, and a copy of the City's petition, also of the Lords' letter to the Lord Mayor; advice concerning the present declaring of a Parliament; the Newcastle trade business to be referred to the Council of Peers. Earl of Bristol and his son. Drawing the forces of the counties to the confines not approved. Letters from the Archbishop of Canterbury and the Earl Marshal to his Majesty. [I also wrote] to Mr. Treasurer Vane to the same purpose, and to the Lord Lieutenant [of Ireland], with three letters from Sir Arthur Hopton to me and one to him. [*See Aug.* 20, *vol. ccclxiv., No.* 45. $\frac{1}{3}$ *p.*]

Sept. 16. York. 76. Sec. Vane to Sec. Windebank. Two of the King's ships have come, and lie before the mouth of the Tyne, and have order to hinder all trade while the rebels hold Newcastle, so I do not see how London can be supplied with coal; for concerning the proposition that vessels of small burden only should trade, it is conceived both by his Majesty and the Lords here that no vessels whatever should be permitted to trade thither, and that great and small vessels will be equally inconvenient. Sir Peter Killigrew has returned to-day from the prisoners, but cannot procure their liberty from the rebels, except on the conditions enclosed. The Scots do not yet advance farther than Durham, having brought that county into contribution, they pay 350*l.* a day, Northumberland 300*l.*, in which are comprised the Church and Roman Catholics at equal rates; yet the horse take hay and oats for nothing; from all those who keep their houses, nothing more is taken, but if they [the Scots] find no dwellers in houses in Newcastle or the counties those [houses] they plunder; but if they take an egg or a chicken from those who pay contribution they are certainly hanged for it. They keep a

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very severe discipline; I wish it were more practised on our side, for our horse and foot both commit great insolencies, for which two were hanged yesterday. His Majesty tells me he has sent you a command for fortifying Portsmouth; he has commanded me to second it to you, that it may be complied with. His Majesty read your postscript, and smiled when he met with Monsigot's putting you in mind of your mortality; and I doubt not, though money goes out fast at present, that his Majesty, if he is once at an end of these troubles, will deal graciously with us touching that office; and it is but reason, for we have done him service in it. We are in great expectancy of the 24th instant, and of the Lords and Sir Francis Seymour coming down; though it is not expected by us here that the meeting of the Peers will produce anything more than a resolution for a Parliament, which word is thought sufficient not only to put the Scots out of the kingdom, but a balm to cure all our sores. If you ask this bearer he will tell you how those of Newcastle suffer. [*Endorsed:* "Mr. Treasurer by Sir Peter Killigrew; received 18th, answered 18th [Sept.]." $3\frac{3}{4}$ *pp.*]

Sept. 16. Godolphin. 77. Sir Francis Godolphin to Sir Thos. Jermyn, Comptroller of the Household. The deputy-lieutenants of this co. of Cornwall having received directions from our Lord Lieutenant to address ourselves to you in matters concerning his Majesty's service, and having since received command from the Earl of Arundel for the trained bands to be ready to march on 24 hours' warning, I hold it my duty to offer to your consideration the condition of this most western regiment, which has usually been a supply, in case of alarm, to Pendennis Castle or Scilly, and as it is convenient for the former, so the latter has no other speedy way of aid; not that this regiment is not as forward as any to wait on the King's commands wherever he requires them, but perhaps it may not be his pleasure to have them taken from two places of such consequence, and so likely to be within the design of any foreign state ill-affected to this kingdom. [*Seal with arms.* 1 *p.*]

Sept. 16. 78. List of the officers and artificers of the Ordnance appointed for the garrison of the Tower, with their several entertainments, by the day, month, and year; total, by the year, 656*l.* 10*s.* 0*d.* [$\frac{2}{3}$ *p.*]

Sept. 17. 79. The Justices of Peace for co. Herts. to the Council. Before your letter of the 6th of this month, concerning inquiries to be made of riots and profanation of churches with other disorders, came to our hands, we had directed a precept to the sheriff for an inquisition at Watton the 15th of this month, and warrants to the constables in the hundred of Broadwater, and half-hundred of Hitchin, for strict inquiries to be made after the rioters and their countenancers and abettors. The sheriff having returned 24 for jurors, we selected 17 of them, freeholders, and the constables and others present at the riots, or who immediately after saw the rioters, informed them; which being done, we made proclamation that if any could inform for the King they should be heard. The

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jury gave their verdict in writing, that the rails in the chancels in five churches in Broadwater Hundred were pulled down by soldiers, and declared the certain day and number, in no place exceeding five persons, and their entry into the churches by finding the door open, or procuring the key. But they seriously affirmed to us, on oath, they could not discover the name or dwelling of one rioter. In the half-hundred of Hitchin, only the church of King's Walden, had the rails pulled down; on Sunday during Divine Service, 24 soldiers entered it, and sat in the chancel till the sermon was ended, and then, before all the congregation, they tore down the rails and defaced the wainscoat, invited themselves to the churchwardens to dinner, exacted money from the minister, brought an excommunicated person into the church, and forced the minister to read evening prayer in his presence. By no means could we discover the names or dwellings of any of these malefactors, save that they were soldiers billeted in Beds.; and three days afterwards, openly in the daytime, they entered the ground of Periam Docwra, Esq., and took thence a fat ox, which they brought into the next market town, with a drum, the owner and his servants looking on, and not daring to resist; it was restored to the owner for 16*s.*, drink money. The jurors presented that Edward Dickenson, of Luton, Beds., was one of them. As for those mentioned above, the truth is some vagabonds were impressed who wander through this and other counties, whom neither the House of Correction nor any other punishment will reform; some of these commanded by Capt. Brockett, lived all that time as orderly as could be expected from men of their condition, but the day after their disbanding, which was the 26th of August, the rails in three churches were pulled up; probably by these vagabond soldiers, for the servants, labourers, and tradesmen impressed, after their disbandment, returned immediately to their homes and callings. These men change their names and places of abode, and are so desperate in these distempered times, that countrymen, for fear of fire and other outrages, are readier to relieve than accuse them. Four days after their disbanding five of these vagabond soldiers went to a gentleman's house in Broadwater Hundred, where Capt. Brockett was, and pretended the captain detained their wages, and threatened to have money, or his blood; when the captain wounded one of them with his sword, whereof he died next day. The soldier so slain, the master of the House of Correction informs us, was an incorrigible rogue, born and bred of vagabond parents, and, it is thought, the leader of those who profaned the churches; from which time there has been no riot, so far as we know. [*Endorsed:* "Received 30 Sept." 1½ *p.*]

Sept. [17.] 80. Rodulph Warcopp, sheriff of Oxon., to the Council. I have done my utmost to collect his Majesty's ship-money, but find the country so generally averse to pay, and all officers so slack in the execution of my warrants, that the service is very much retarded; few or none will pay but by distress, nor will any assist an officer therein, but threaten to sue them, and tell them a sheriff's warrant is not sufficient to bear them out; so they are thereby much disheartened. I have sent warrants, according to your directions, to

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the bailiffs of the liberties, for the sheriff has no bailiffs, the whole county being granted out into liberties, for the speedy collecting of the ship-money; but Thomas Banister, bailiff of Dorchester Hundred, and Thomas Sterne, of Thame, sent them me back again, and said they would not meddle with the business. Others have proceeded to execute them, but most of their distresses have been rescued from them by force, or taken out of the pound in the night; and while they are taking one distress in a town the rest lock up their goods in their houses, and will not suffer them to enter. Nor will any constable assist a bailiff in taking a distress, but only in keeping the King's peace; nor will any other man aid, or be hired to aid, in distraining; nor will any buy any distress. Mentions distresses rescued, or taken out of the pound. There was one, William Davies, of Mongewell, gentleman, whose son and servants I formerly returned for resisting me in distraining, whose example, I believe, has much damaged this service; for the country took great notice of the affront, being the first resistance ever offered to the high sheriff, and never hearing of any punishment inflicted on the offenders, I verily persuade myself their example made others more refractory. This William Davies told me of late he was bound over by you to pay me his Majesty's ship-money, and demanded what his assessment was, I told him 6*l.* 18*s.* 0*d.*, he answered he would pay but 6*l.* 11*s.* 9*d.* I told him again I must have 6*l.* 18*s.* 0*d.* of him, which he refused to pay, and went his way. [2 *pp.*]

Sept. 17. Whitehall. 81. Warrant of the Council to Sir John Heydon and the Officers of the Ordnance to furnish Sergeant-Major James Nolan with arms and ammunition for arming a company of foot for service in the north. [½ *p.*]

Sept. 17. 82. The like to Francis Taylor, messenger, to bring up George Edgley, head constable of Nantwich Hundred, John Skragg, and John Hulse, of co. Chester. [*Minute.* ¼ *p.*]

Sept. 17. The like to Edmund Barker, messenger, for Constable Dongcastle, Harrison Kettle, John and William Kilshaw, of co. Chester. [*On the same paper. Minute.* ¼ *p.*]

Sept. 17. 83. Warrant of Sec. Windebank to [a messenger] to search Matthew Taylor's house on Tower-hill and seize all the papers he finds there. All justices of the peace, mayors, and other officers to aid him in execution of this warrant. [¾ *p.*]

Sept. 17. 84. The like of Francis Lord Cottington to Thomas Webb, messenger of the Chamber, to take into custody and bring before him Robert Pearson, Matthew Luggrone, and Daniel Pyeman. [*Seal with arms and crest.* 1 *p.*]

Sept. 17. Arundel House. 85. Edward Walker to Sir William Beecher. The Earl Marshal has signed the warrant you sent for arms for Sergeant-Major Nolan, and conceives it most fit he be furnished only with muskets for his company as here specified, [you may see the muster roll of them under his own hand. [*Seal with arms and crest.* ⅔ *p.*]

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[Sept. 17.] 86. Petition of Sergeant-Major James Nolan to the Earl Marshal, to allow him his charges for keeping 82 soldiers for 16 days. [½ *p.*] *Annexed,*

86. I. *Note by Sergeant-Major Nolan of his charges with his officers and soldiers by the day in their march to his Majesty's army in the north; and the arms they require.* [*Endorsed by Nicholas*: "*I know nothing concerning any order touching the persons within named. Sept.* 11, 1640." 1 *p.*]

Sept. 17. 87. A list or establishment of officers and attendants belonging to a train of artillery for the south part of England, signed by the Earl Marshal, and to continue till he shall give order to the contrary. Estimated by the day, month, and year. Total per annum, 327*l.* 12*s.* 0*d.* [1 *p.*]

Sept. 18. Whitehall. 88. The Council to the King. Whereas we understood of a petition signed by 12 lords sent to you concerning divers evils grown into this kingdom, and their remedies, to which you gave a very gracious answer; and that some of the most eminent of the said lords professed before us, that if at the time of framing the petition they had understood of the Scots' invasion into this kingdom, and the surprise of Newcastle, they would never have signed it; we hold it our duty to advertise you that since your answer and the profession made to us by some of the lords, we are informed some other lords have signed the petition and divers others are laboured to do the like, to our great wonder, considering the present conjuncture of affairs, and that you have called to you the great Council of Peers to give you their advice in this great exigency. [*Draft.* 1 *p.*]

Sept. 18. 89. The same to the Lord Mayor and Aldermen of London. Whereas we wrote to you on the 16th of this month to take some course to stop a petition to his Majesty contrived in the name of the citizens of London in an unwarranted manner; and did further intimate to you by Sir W. Beecher, who was sent with the letter, that in case the same were sent away before, or you could not stop the proceeding thereof, that at least you and the rest should express to his Majesty your dislike of the said petition so proceeded in. And whereas we have not yet received any such satisfactory answer as we might justly expect to our letter and message. We have thought fit to require you forthwith to give us an account in writing how you have proceeded in stopping the petition, or at least in expressing your dislike of it. [*Draft.* 1 *p.*]

Sept. 18. 90. Order of Council. The Lords being informed that unusual numbers of Irish have lately repaired to London and Westminster, and remain in the suburbs and liberties of these cities, did this day order that the justices of peace for Middlesex and Westminster be hereby required to take a present course not only for sending away all such vagrant Irish as wander in and near the cities, but also of

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all others that cannot give a good account for their coming and stay here. [*Draft.* ⅔ *p.*]

Sept. 18. 91. Warrant of the Council to Lord Treasurer Juxon and Lord Cottington to issue to Mr. Henry Percy, for the troop of cuirassiers he has raised at his own charge for his Majesty's body guard, one month's pay according to the rate of pay for cuirassiers, and one month's pay for a waggon at 4*s.* 8*d.* per diem, to begin the 14th of this month, that day excluded. [*Draft.* ½ *p.*]

Sept. 18. 92. Council warrant [to a messenger not named] to search the house of Marshall, a tailor in Stillyard, Tower-hill, and seize all his papers, &c. All mayors, sheriffs, and other officers to assist in the execution of this warrant. *Written above,*

92. I. *Memorandum of four warrants of the effect following: to search the houses, &c. of Marshall, a tailor, Dolman, a merchant, Jones, a dyer, and Matthews, a tailor, all of London.* [*Draft.* ¾ *p.*]

Sept. 18. Whitehall. 93. The like to search the house of Cornelius Burges, D.D., on London Bridge. [*Copy.* ¾ *p.*]

Sept. 18. Whitehall. 94. The like to search the house of the same at Watford, Herts. [*Copy.* ⅔ *p.*]

Sept. 18. Whitehall. 95. The like to search the house or houses of Jones [a dyer], or any other person whatever suspected of having Popish or seditious books, which are to be brought away. [*Copy.* 1 *p.*]

Sept. 18. Whitehall. 96. The like to make diligent search for and take into custody George Downing, D.D., and bring him before the Board. [*Copy* ¾ *p.*]

Sept. 18. Whitehall. 97. The like to the Keeper of the Gate-house or his deputy to put the Irish priest O'Connor in close hold, and permit no one to speak to him. [*Draft.* ½ *p.*]

Sept. 18. 98. The like to release James Crichton from Newgate. [*Minute.* 3 *lines.*]

Sept. 18. 99 The like to guard his Majesty's treasure through the several counties to York. [*Minute.* ¼ *p.*]

Sept. 18. Whitehall. 100. Notes by Sec. Windebank of the proceedings of the Council. The Lord Mayor could not draw the Court of Aldermen to disclaim the petition; it being contrary to the custom of the City to write to the King they never presume to write to him, but they ought to answer the letter from the Board, and the Lord Mayor to begin and set his hand first. [*In Margin:* "A letter to the Lord Mayor that the Lords look for an answer to their letter, wherein they are to show their dislike of the petition."] The petition of the lords, signed since it came back by some [other] lords. A letter to be

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written to the King from the Board disavowing it. Dr. Burgess gone down with a petition to the King, a very black man of middling stature; it is said he has been in Scotland. Knollis' wife to be sent for and her house searched. That the King will keep those messengers that carry the petition; to know what warrant they have from the City. [*In Margin:* "The like for the clergy."] Those counties that shall rise and serve at their own charge are to have the like privileges to those of Yorkshire in the Lords' opinion; or else the King will not be served. There are two ships of his Majesty's at Tynemouth and they will be out of victual by the 19th of next month, and so will all the winter guard; the charge of supplying them will be 4,160*l.*, because his Majesty's command is so express for not diverting money, his Majesty's present answer [is desired]. To day 10,000*l.*, and within four or five days 10,000*l.* more, and after that the like within three or four days. The removing of my Lord [Bishop] of Lincoln out of the Tower. The Lord Treasurer, no help; rather squander away; a miracle; pepper; Abdy; Ricault in danger. The Vice-Admiralty that Sir Lionel Talmage had for Sir Thos. Glemham. [*Printed in Appendix No. VI. of Camden Society's vol. Notes of the Treaty of Ripon, p.* 80. $\frac{3}{4}$ *p.*]

Sept. 18. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty with a letter from the Archbishop of Canterbury, and another from the Board, concerning their dislike of those lords that have since his Majesty's answer signed the Lords' petition; to know his pleasure concerning the wardships of those in the south; and concerning the ships at Tynemouth; with a duplicate of a letter from the Board to the Lord Mayor concerning that petition. Like letters to Mr. Treasurer Vane; to the Lord Lieutenant [of Ireland] with one from Sir Arthur Hopton; to the Lord Marquis Hamilton. The Lord Con's superior; no help. [*See Aug.* 20, *vol. ccclxiv., No.* 45. $\frac{1}{4}$ *p.*]

Sept. 18. York. 101. Sec. Vane to Sec. Windebank. I have little at present to trouble you with, more than to tell you that notwithstanding the Council's advice for a Parliament, I do not find in his Majesty yet any certain resolution for it. The papers you sent enclosed to his Majesty he has put into my hands, which require no reply; and for the printing of the papers he commands me to tell you he holds it most fit you should print them in the south, as we do here also on the like occasions. We are here in expectation of the meeting of the Peers, so until then you are not likely to hear much from me. Besides we have had so great rains these two days, and the waters are so out, that it is scarcely possible to pass anywhere upon the roads, and no further intercourse is likely to be between this camp and the rebels until the Peers assemble. You may rest confident of his Majesty's care to regain what the Scots have got upon this kingdom, so you furnish him with money in time, and according to the hopes given to his Majesty since his coming hither. In a word, if 42,000*l.* come not, and speedily, the army being now out of pay what inconveniences may follow the Lords and yourself may appre-

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hend, considering but how the times are at present conditioned, and the rebels within five or six days' march at furthest. I send you enclosed the Captain of Holy Island's letter to me by his Majesty's command; you are to show it to the Lords Treasurer and Cottington, and move them to give order for his present relief. I have spoken often to the Lord Treasurer concerning it before my coming out of the south. The best way to supply him now will be by the paymaster of Berwick, for which it is his Majesty's pleasure present order be given, lest it fall into the enemy's hands, it being a place of too great importance to let fall through neglect. P.S.—The enclosed is from the Condé [Earl of Holland], which please address to the Lady Carlisle, for which you will thank me by your next [*Endorsed:* "Received 20th." 2 *pp.*]

Sept. 18. Gorham Bury. 102. Edward Earl of Sussex to the same. Please represent me to his Majesty as one that has a most affectionate heart to his service, but my great age, nearly 90, makes me altogether unable for a journey to York. [*Seal with crest and coronet.* ⅔ *p.*]

Sept. 18. York. 103. Sir John Borough to the same. Since my coming into these parts the body of the Council here never met except last Monday the 14th of September, when the Bishop of Durham and other chief men of the bishopric and Northumberland, made known to the Board, his Majesty being present, that whereas the Scots at Newcastle formerly demanded of the bishopric 30,000 lbs. weight of bread, 40 oxen, 100 sheep, and 20 tuns of beer every day, they had now altered that demand and required 350*l.* in money daily from the bishopric, and 300*l.* from Northumberland, in lieu of the provisions, and to secure their cattle and corn from spoil. In regard whereof the inhabitants desired the direction of the Board what course to take. What direction was given I am not able to write; but it is reported here they have agreed to the contribution of the sums demanded. This and the convention of Sir Henry Anderson for disaffection to the present service and contemptuous words touching the training of men in the place where he lives, who was dismissed with a sharp reprehension, was all that was then done; except some warrants and letters for bringing provisions to this city for relief of our army. It is commonly reported here that our horse has already marched to several parts of the Tees from Richmond to Yarum Bridge; whereby it is intended the enemy shall neither advance further towards us, nor spoil the outermost parts of this county, especially being re-inforced by 2,000 foot now on their march thither. For the bodies of both armies, considering the time of year and continual rains that have fallen and yet fall, there is little likelihood they can meet this winter. [*Endorsed:* "Received 21st [Sept.], answered 23rd." *Seal with arms.* 2½ *pp.*]

Sept. 18. 104. William White to Thomas Earl of Arundel and Surrey. This bearer, Mr. Threele, calling at my house on his way to London told me you had sent for him, which he conceives may be upon a false report that he kept 31 armed men in his house, which I hearing of only last Sunday morning went to the Mayor of Rye to know what

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he could say in it; he told me three boys saw them, whom I caused to be sent for. One said he saw two driving up the kine, another saw four or five shooting at conies, and the third saw 31 men with muskets, but as soon as they saw him they laid down their arms and ran into a hedge; it was in a field that every man about the town must see them, it being Saturday last about sunset, but I cannot hear anyone saw them but the three boys. For my part I am confident there was no such thing, for had I not been assured it was impossible I should have searched Mr. Threele's house, which he offered me. There was a report there was a waggon load of armour brought him a few days before, which when I heard I sent for the party who denied that he said any such thing. [*Seal with arms and crest.* 1 *p.*] *Enclosed,*

104. I. *Proclamation of the Mayor and Jurats of Rye that having examined the rumours concerning Mr. Threele, a resident, but who has always behaved peaceably and lovingly to his neighbours, "we can find no proof whereby we should be persuaded to believe the timorous fantasies of two or three such inconsiderate boys; therefore we verily believe all the rumours are altogether untrue, "whereby we conceive Mr. Threele is grievously injured."* [*Sealed with the seal of the Mayoralty.* 1 *p.*]

104. II. *Evidence concerning the rumours about Mr. Threele, taken in the presence of Henry Barrington, alderman of Colchester, Samuel Goss, of Aldermanbury, London, and Wm. Fletcher, St. Lawrence-lane, London.* [1 *p.*]

Sept. 18. 105. Note by Sec. Vane for the strengthening of the fort and garrison at Portsmouth. That a warrant be given to the officers of Ordnance for the delivery of such provisions as are in store according to a proportion now in the office, also new arms for the 200 new men. Another order for 32 demi-culvering and sacre carriages to be sent to Portsmouth. Warrant to be issued for supply of the adjacent counties with gunpowder at the rate of 5*l.* per barrel. The Lord General has already given commission for levying 200 new men for the re-inforcement of the garrison; order is also given for deepening and scouring the ditch. [1 *p.*]

Sept. 18. 106. Account by Sir William Russell, treasurer of the navy, of ship-money received by virtue of writs of 1639, total 38,072*l.* 8*s.* 10*d.* [1 *p.*]

Sept. 18 107. Account of ship-money for 1639 levied and remaining in the hands of the sheriffs, total 12,306*l.*, making with the 38,072*l.* paid to the Treasurers of the Navy 50,378*l.* This week no arrears were paid in for any former years. [1 *p.*]

Sept. 19. 108. The Mayor and Aldermen of Stamford, co. Lincoln, to the King. Certify that they have elected William Panke for their town-clerk on the death of Ric. Bulcher, and craving his Majesty's approbation of that appointment. [*Strip of parchment.*]

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Sept. 19. 109. Bond of James Crichtone [prisoner in Newgate] in 200*l.* to the King. Conditioned that he appear before the Board within six days after warning left at the house of William Armstrong, the Anchor, near the new church, in Westminster. [*Latin and English.* $\frac{2}{3}$ *p.*]

Sept. 19. 110. Draft of the same, dated Sept. 18. [$\frac{1}{2}$ *p.*]

Sept. 19. 111. Note of a report that Alford, a linen draper, of Cheapside, Shewte, a merchant, and Maurice Thompson, merchant, went last Wednesday afternoon with the petition from the citizens of London towards York; that [Captain Henry Percy required?] 20*s.* per diem more than other captains of cuirassiers, alleging that Lord Lisle has it, and both are "repugnant to the list signed by his Majesty." [*Endorsed*: "Mr. Remembrancer." $\frac{1}{2}$ *p.*]

Sept. 19. York. 112. Thomas Earl of Strafford to Sec. Windebank. I understand by Capt. Legg that you and the Lords conceiving there might be use of some spades which where designed to be sent hither for the train of artillery, have stayed them at London; and for want of them his Majesty's service here suffers exceedingly. Wherefore I am by his Majesty's command to desire you to take off your hands and cause 3,000 of those spades and other materials to be sent hither with all possible speed. [*Seal with arms.* 1 *p.*]

Sept. 19. 113. Letters of Attorney from Edward Nicholas giving power to Richard Green to receive possession of Middleton Farm in Long Parish, Somerset, for him from Mr. Nicholas Withers. [*Copy.* 1 *p.*]

[Sept. 19.] Edinburgh. 114. John Lord Balmerino, President of the Committee of the Estates of the Scotch Parliament, resident at Edinburgh, and others of the same Committee, to Lion King-at-arms and his brethren Heralds and Pursuivants. The Estates of the Parliament, held at Edinburgh the 11th of June last by the King's authority, by a special Act of that session having given full power and warrant to the Committee of Estates aforesaid for directing in their names precepts for Lion King-at-arms and other heralds, to warn and charge in name of the said Estates the particular persons signified in that Act, and such others as the Committee might suspect to have been the leasing makers and tale tellers and false accusers of the Estates of this kingdom and their proceedings to the King as seditious, rebellious, and treasonable; and to have been the instigators, framers, and drawers up of the strange proclamations and declarations made against his Majesty's subjects and Estates as rebels and traitors, or to have risen in arms and concurred with the adversaries for subduing this kingdom, their natural country; or to fortify, keep, or detain strengths or castles against the Estates of this kingdom who standing to their Covenant for defending religion, Crown, and country; or wittingly and willingly withdraw their assistance from their mother country in this extremity and contribute their help and countenance to the adversaries; and last all those who are either authors, abettors, maintainers, or have any hand in countenancing our adversaries to the subduing and destroying of this kingdom and

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especially those who have seemed to join with us and have subscribed the Covenant, to appear personally before the Parliament at Edinburgh, or where it should happen to be appointed to be holden for the time at the next session the 19th of November, to answer to the particular crimes above written, and all others of the like kind which may be laid to their charge under pain of forfeiture, for their contumacy in case of non-appearance; likewise the Estates of Parliament have declared by Act that these precepts subscribed by us, the Præses and Quorum of the aforesaid Committee of Estates residing at Edinburgh, shall be as sufficient as if the same precepts were subscribed in Parliament as the Act more fully bears; and true it is that [*names omitted, but blank of* 2½ *lines left. See Balfour's Annales ii., p.* 403], and ilk one of them are culpable and guilty of the crimes particularly and generally before rehearsed, therefore we have ordained this precept and charge to be directed by us John Lord Balmerino as President for the time and the Quorum of the Committee of Estates to Lion King-at-arms, the heralds, pursuivants, and messengers, commanding them immediately after the sight hereof, in the name of the Estates of Parliament, peremptorily to summon, warn, and charge the afore-named noblemen and others to appear personally before the Parliament in next session at the day and place herein specified under the pains respectively mentioned. We charge you that immediately upon sight of this our precept you proceed in name and authority of the Estates, having your full coat of arms displayed, to the market cross of Edinburgh, the pier and shore of Leith, and there command, warn, and charge with sound of trumpet and public reading of these presents such of the persons above named as are presently out of this realm upon 60 days warning by open proclamation there made, and that you command such others of the persons above named as are within the country personally, if they can, to be apprehended, and failing thereof that you summon them at their last dwelling-places to appear before the Estates of Parliament at Edinburgh on the 19 November next, to which time and place the Parliament is continued and declared current, to answer to such crimes, facts, and deeds as before are rehearsed, under pain of treason and forfeiture, with certification to the disobeyers, when the Estates will instantly proceed against them and all who disobey as traitors and guilty of high treason against this state and kingdom, to the forfeiting of their estates, lives, and lands. [*Copy.* 2 *pp.*]

Sept. 20. Hampton Court. 115. The Council to the Officers of the Ordnance. Whereas you were required by warrant from the Board to deliver to Sergeant-Major James Nolan 77 swords and 70 muskets, &c., with three rounds of powder and shot to each; we have now thought good to require you to forbear issuing any powder or shot, but otherwise to follow our former directions. [*Draft.* ¾ *p.*]

Sept. 20. 116. Note of the appearances of Thos. Banister, bailiff of Dorchester, and Thos. Sterne, of Thame, before the Board; they are to remain with the messenger till discharged. [4 *lines.*]

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Sept. 20. Hampton Court. 117. Notes by Windebank of the proceedings of the Council. To know his Majesty's pleasure what shall be done with the Scotch ships detained, whether they shall be sold or no, considering it is one of their demands to have restitution of them. A list of the ships to be sent. To know his Majesty's pleasure whether Mr. Percy's troop shall be paid now presently, considering the King's command that no money shall be diverted. [$\frac{1}{3}$ *p.*]

Sept. 20. 118. Petition of Nathaniel Sikes, their deputy for making saltpetre for the counties of Essex, Suffolk, and Norfolk, to the Commissioners for Gunpowder and Saltpetre. Petitioner wanting sea-coals to perform his Majesty's service, sent a servant to Mr. Browning, coal merchant, of Maldon, Essex, who had then between 200 and 300 chaldrons lying ready by him, to furnish him with coals, but Mr. Browning refusing, petitioner went to the bailiffs of the town, and according to his commission required them to set a price on the coals, who did so. Still Mr. Browning refused to deliver petitioner any coals, whereby he is much damaged, and his Majesty's service greatly hindered. His suit is you will send for Mr. Browning and take such order with him that petitioner may have coals to perform his Majesty's service according to his commission, and be satisfied for his damages herein. *Underwritten,*

118. I. *Let Browning see this petition and either furnish petitioner with sufficient coal for his Majesty's saltpetre works, according to his Majesty's commission, and satisfy his damages through his refractoriness, or else attend us, the Commissioners for Saltpetre, within four days after sight hereof to answer his contempt. Hampton Court, Sept.* 20, 1640.

118. II. *The true copy of this petition was left at Browning's house with his wife, Sept. 25th,* 1640. [1 *p.*]

Sept. 20. Copy of the same. [*See vol. ccxcii., p.* 122.]

Sept. 20. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty with a note of the ship-moneys and a list of the Scotch ships taken this year and dismissed, and of those still under arrest, whether they shall be sold according to Payler's proposition. Mr. Percy's pay for his troop. The like letters to Mr. Treasurer Vane and to the Lord Lieutenant [of Ireland]. The Spanish moneys. The ambassador of Denmark's proposition concerning a better intelligence with the House of Austria. The passage in the letter from Camphere. [*See Aug.* 20, *vol. ccccIxiv., No.* 45. $\frac{1}{4}$ *p.*]

Sept. 20. 119. Sec. Vane to Sec. Windebank. This afternoon arrived the Danish ambassadors, who to-morrow at 1 o'clock are to have audience of his Majesty. When your Covenanting minister and the Londoners arrive here his Majesty will resolve what to do with them. I never doubted since the 12 lords had presented their petition that many more of the nobility would sign with them. Since my last Lieutenant Smith, who commanded Sir John Digby's troop, with 60 horse surprised Sir Alexander Douglas, Major to Colonel Ramsay, that took Sir John Digby prisoner who came into Yorkshire

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over Tees with 60 horse and were plundering the house of a Mr. Pudsey, who gave our troops notice of their being there. Captain John Digby, the Earl of Bristol's son, with three or four troops cut off their passage at Croft Brigg, the great rains made the river not fordable, so that 10 of them offering to swim the river were drowned, 21 that resisted were killed on the spot, 37 taken prisoners, besides all the officers and the horses of the whole troop with such arms as they had, which are but mean and so are their horses. By this you see we begin to recover our hearts and courage. You are not to expect voluminous despatches before the meeting of the Peers; nine of them came to Doncaster last Saturday and will be here to-morrow. We expect a full assembly from the assurance you give us here. [2 *pp.*]

Sept. 20. York. 120. The same to [Sir Thos. Rowe]. Yours of the 14th with the news of Germany came to my hands safely. The Danish ambassadors, shall be treated with civility and your treaty of commerce not forgotten; when I understand what they have to say you shall be advertised thereof. It is probable the King is upon altering the principles of State with his allies in foreign parts, as others have done; and if he take not the better care it may be with the same success. It is high time both he and other northern princes and states united, that they may sustain the public good; for should a general peace be once settled amongst the Roman Catholic princes, as the end of all war must and will be peace, it may then be too late; sure am I it will be more difficult. The Lord Privy Seal arrived yesterday and seven more of the Peers will be here to-morrow, all men being expectant of what this Assembly will produce, so until it be at an end much you cannot expect to hear. Account of the surprise of Sir Alexander Douglas' troop of horse by Lieutenant Smith as given above. Sir John Finett has been with me and delivered your commands, which I shall be mindful of. [2 *pp.*]

Sept. 20. 121. Sir Richard Harrison to Sir Dudley Carleton. I enclose the copy of Mr. Attorney General's warrant and therein the names of those that were committed for refusing press-money; they stand bound over to the quarter sessions were nothing is likely to be done to them, therefore desire Sec. Windebank to send some order from the Board for their discharge; for seeing Mr. Attorney has direction to deal with them, it is fit the sessions should be quit of them. I wonder what will be done with all the soldiers that were coated at the great charge of the country; if they escape without questioning it will be well for them, but ill for the King if he have occasion to use men hereafter. The weather begins to clear, and I hope for a fair season yet before winter, which will be a motive for you to hold to your purpose of visiting these parts once more, which I shall be very glad of, and I hope to wait upon you at better leisure than when you were here. God send us good news out of the north and prosper the King's affairs there. [1 *p.*]

Sept. 20. 122. Note by Nicholas concerning Mr. Percy's pay. By the list of entertainments only one troop of cuirassiers is appointed for guard

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of the Lord General, the captain whereof has at least 20*s.* per diem more than any other captain of horse ; if his Majesty please to appoint another troop of cuirassiers for his own guard, and that the captain thereof shall have the same allowance as the captain of the Lord General's guard then there ought to be a warrant for it under his hand, for the list signed by his Majesty will not warrant it. [½ *p.*]

Sept. 20. Richmond. 123. Capt. John Digby to [Edward Viscount Conway]. I have sent the Scotch officers with such a party of horse as is by us thought fit for their secure convoy under Lieutenant [Thos.] Woodall, who will inform you in any particular of our action in which my letter may have failed to satisfy you. As for the other prisoners, if you will send a convoy for them you will ease us of much trouble as our horses are exceedingly harrassed and the townsmen wholly destitute of arms ; they seem sensible of the charge of keeping them, wherefore I conceive they are desirous to have them suddenly removed, as well as for the strong guards they are forced to keep over them there being no convenient place for their imprisonment. We have been always careful to keep the town well guarded, for whilst I had the command a good part of our horse were always in out-guards and the rest under arms all night in the market place, which course is held by Sir Chas. Lucas. I am exceeding glad the foot will soon be here to ease us of some duty, for with this we could not long subsist. [1 *p.*]

Sept. 20. 124. Certificate of Robert Keylway that John Trigoll, constable of the hundred of Cranborne, co. Dorset, was, by warrant of the sheriff, William Churchill, to receive in his part of the hundred 66*l.* 13*s.* 4*d.* ship-money, whereof he has paid me 35*l.* 7*s.* 10*d.* and has returned upon several men in arrears 31*l.* 5*s.* 6*d.* [⅓ *p.*]

[Sept. 20.] 125. Note by Nicholas of several sums certified by the escheators to be levied by the sheriffs of the counties named upon the writs for ship-money issued in 1639. That in Carmarthenshire the most part was levied 3 Sept. and all will be by Michaelmas paid in. That all is levied in Glamorganshire, except 60*l.* payable by the town of Cardiff, which will be paid by 1 Oct. In Worcestershire there is much money collected by the constables and not paid to the sheriffs. In Flintshire there is collected and returned by the sheriff 520*l.* but only 300*l.* [received] waiting for the 220*l.* In Rutlandshire there is only one hundred in the county refractory, and yet no money is paid in by the sheriff. The escheator justifies both this sheriff and him of Northamptonshire. The escheator of Lincoln justifies the sheriff of Lincoln and yet he is behind 6,610*l.* The escheator of Hertfordshire justifies the sheriff who has paid in but 650*l.* of 3,000*l.* Similarly of Gloucestershire, where the sheriff has paid in only 100*l.* The escheator certifies that the sheriff of Dorset has levied half the money, and the sheriff of Somerset 300*l.* The escheator of Bucks. and Beds. that the sheriff of Bucks. has levied only 50*l.* and that of Beds. only 10*l.* The Mayor of Hereford has 210*l.* and will pay it in. [1 *p.*]

Sept. 20. 126. List of Scotch ships that have been arrested this year, 1640, and are since released, followed by a similar list of Scotch ships staid

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and not [yet] released; besides what ships are staid at Berwick and Holy Island. [1⅔ *p.*]

Sept. 20. 127. List of incumbents and curates in the diocese of Norwich who desire license to preach. [2¼ *pp.*]

Sept. 21. Cornbury. 128. Henry Earl of Danby to the Council. I have given such directions for the safety of Guernsey as are requisite according to the small garrison allowed and the provisions there, nor fail I to prepare for my own going over; but since the occasion seems not pressing by all intelligence from my Lord of Leicester or the Islanders, I beseech you to be so indulgent to old age and so to satisfy his Majesty that I may stand free from censure of neglect, for I fear not to be there in time enough to perform that duty which can well be expected at my hands so soon as ever the condition of my health and fairer weather permit me to pass that shrewd sea. [*Seal with arms and coronet.* ⅔ *p.*]

Sept. 21. St. Peter's Coll., Cambridge. 129. Dr. John Cosin to Archbishop Laud. I lately received a duplicate from my Lord Keeper, and after that a direction from you, sent by the Bishop of Ely, about the taking and administering of the oath in this university. I beseech you let me know if I shall expect any other direction therein than what I have already. A great noise is made by them that have got sight of it elsewhere, about the omission of the word "Popish," which I believe is nothing but the scribe's error, and about the uncertainty of the "&c.," whereat many froward men are likely to stick. If there be any thought of altering the former and sending out a new commission, I would represent to you an observation concerning this university. By the commission already sent the Vice-Chancellor is to administer the oath to the several heads of colleges and all others that have taken Holy Orders, all masters of arts, all bachelors and doctors of divinity, law, or physic, &c., "resident in the university." And then the heads of colleges are likewise commanded to administer the same oath to all persons resident in their several houses that have taken the degrees above mentioned. Now the former words comprehending all that live in colleges, unless an exception be added after this manner "resident in the university and not members of any college or hall," both the Vice-Chancellor and the heads are required to give the oath to the same persons; though I presume the meaning is not, as the words imply, that the same persons should take the oath twice. These times are exceedingly bad. I was about to crave of you in two or three lines to signify his Majesty's pleasure, signified to you when I was first chosen Vice-Chancellor, to the Dean of Durham for the allowance of my dividend there this year, wherein I have been wholly tied to residence in the university. But if all be true I hear reported at all hands, I doubt there will be neither any dividend nor any church or other place left for me in that country, where all I have to live on is in the hands of the rebels. I beseech God send us better times and long preserve your Grace in health, courage, and safety against the malignant enemies of the Church. [1 *p.*]

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Sept. 21. Hereford. 130. Richard Herring, escheator of co. Hereford, to Lord Treasurer Juxon. Mr. Sheriff continues his diligence in levying the ship-money, but many of the chief, and most of the petty, constables are very negligent in this service. And though the sheriff has every week or 10 days a meeting for the business and then new warrants are directed to the collectors and constables, yet most of the collectors utterly refuse to do any service. By the constables return the greater part of the more able men in the county have refused or delayed payment and their example has encouraged others of meaner quality to do the like, which has caused the sheriff by himself or his servants to distain them; he has been and is so willing to undergo this burden, that by his warrants to all constables and collectors he has intimated his readiness on notice given him by any of them, and reasonable cause shown why they forbear to distrain particular persons, by himself or his servants lawfully authorized to perform the same, that his Majesty's service may be effected. He has imprisoned many constables, yet little is done except by himself and his servants. He lately returned 250*l.* and is ready to return 200*l.* more; he is greatly maligned in the county for his forwardness therein, and threatened with suits for it. [1 *p.*]

Sept. 21. Cholmondeley. 131. Robert Viscount Cholmondeley to Edward Viscount Conway, concerning the title to an estate of William Edowes, the latter's servant. There is a descendant of his father's by a former wife who has a prior title to Edowes. [*Seal with arms and coronet.* 1 *p.*]

Sept. 21. York. 132. Endymion Porter to his son, Capt. George Porter. Has sent him the clothes and a letter from his mother. To send word if he continues to wish to leave the army, and it shall be done. [*Seal. with arms.* 1 *p.*]

Sept. 21. Commissioners for Gunpowder to the Officers of the Ordnance, to issue two lasts of gunpowder at 5*l.* per barrel to James Dyar or Capt. Aldworth for the use of the city of Bristol. [*Minute Book of Warrants for Gunpowder. See vol. cccl v., No.* 61, *p.* 11. $\frac{1}{5}$ *p.*]

Sept. 21. Similar warrant to deliver 40 barrels of gunpowder for the use of Thomas Frere, of London. [*Ibid.* $\frac{1}{5}$ *p.*]

Sept. 22. Worcester. 133. Daniel Tyas, mayor of Worcester, to the Council. Of the 233*l.* ship-money rated on this town I have only been able to collect 80*l.*, which I have sent to the Treasurer of the Navy. Some distresses I have taken but they remain on my hands for want of buyers, and I am threatened with law-suits for taking them. Divers men of ability, but refractory, do not absolutely deny payment but say they have no money and by such answers have delayed me, seeming to affront the service rather than to be at all obedient to it. The names of the most refractory I have enclosed, for such further course to be taken as shall seem meet to you. [*Seal with monogram.* $\frac{3}{4}$ *p.*] *Enclosed,*

133. I. *List of refractory refusers of ship-money in Worcester.* [1 *p.*]

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Sept. 22. Berwick. 134. Sir John Conyers to Sec. Windebank. Many of our letters have lately been retained by the Scots or else broken open, so that the passage being so difficult I have not written to you since the 2nd of this present, and have not heard from you since Aug. 22nd. Now I can be no longer silent but send this upon hazard. There is a great alteration in these parts since my last, for most of the chiefs have fled and the rest are inclined to the Scots. They willingly give a great contribution to that army but will not afford us corn for our money. I have had order to put men in arms for the preserving these parts and for our safety but can by no means effect that command. I am advertised from all parts we shall be blocked up or besieged, and therefore have written for the two companies of trained bands. One has promised to try and come to our help, but of the other I hear not. We want money, our store being wholly spent long since and not a penny for the next pay-day and no credit. I beseech you assist us to the Lord Treasurer that we may presently be supplied, else all will be spoiled. I am making a little fort on the hill over against the town on the Northumberland side and cause the town with the country and some men out of the companies to do the work, for we have no money to give them, so that it goes slowly forward, yet it is most needful for securing the town and our haven on that side. The Scots raise again all the strength they can either to reinforce their army or to come against us, some say to do both. General Riven [Lord Ettrick] and Sir John Henderson are both here, the one from Edinburgh Castle, the other from Dumbarton, and stay only for a safe-conduct from General Leslie to bring them to the King's army. I had once order to repair to the army but was presently countermanded, so I now stay here to attend the King's pleasure, though I fear I shall not be able to do him much service except I have more strength for which I have interceded by divers letters, as also for provisions and ammunition [*Endorsed:* "Received 5th October, answered 13th October." *Two seals with crest.* 1½ *pp.*]

Sept. 22. York. 135. Sec. Vane to the same. To-day many of the Peers arrived, so I conceive it will be a full Assembly. I do not think it can last many days, being but preparatory to a Parliament, without which it is believed impossible to settle men's hearts and minds. To-day the petition from London was presented to his Majesty, you were not well informed thereof, for there are to it four aldermen's hands and I think more than 10,000 others. It is not the opinion of his Majesty or any of the Council that, as this time is conditioned, either they, Burgess, the minister, or any other, that have or should deliver petitions of this kind should be committed [to prison]. His Majesty has commanded me to signify to you his pleasure upon a letter lately sent hither from the Lord Admiral representing the necessity of maintaining a winter guard at sea, the dishonour of letting it fall till he see more clearly through the difficulty of his affairs, as also the ill consequence to his Majesty's forces here, together with the great prejudices the rebels suffer by his ships lying at Tynemouth, as has also been made known to him by the Lord Lieutenant [of Ireland]. Upon these considerations you are

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to let the Lords Treasurer and Cottington know that they are presently to take order for the despatch of these services importing much the honour and safety of the State, but the moneys designed for the army are not to be made use of, for even that which was promised falls short, yet some means must be found for the other, as you will understand from his Majesty's sacred pen by this despatch, though in his last to you he commanded the contrary. I have written to the same effect concerning his Majesty's pleasure about this sea service to the Lords Treasurer and Admiral by his Majesty's express order. It is his Majesty's further pleasure that with all diligence you send me *in formâ* all the proceedings and acts that passed last winter at the Council table concerning the Scotch business. Edinburgh Castle is delivered up by General Ruthven [Lord Ettrick]. He and his men are to come to Berwick and with him two pieces of cannon. The rebels have taken Caerlaverock and put all to the sword but the Earl of Nithsdale, his lady, and his page; they killed 40 of the name of Maxwell and many of the besiegers were killed before it was delivered up. [*Endorsed:* "Received 24th at 5 in the evening; answered 25th." 2 *pp.*]

Sept. 22. York. 136. Capt. John Gibson to Edward Viscount Conway. I received orders from you to march to Sand Hutton within 4 miles of Northallerton. I was to-day with the Lord Lieutenant General [Earl of Strafford], who wished me to acquaint you that my troop is not yet furnished with money to advance, and that you would please excuse us until we be; with all expedition, ready to attend you. [*Seal with crest.* ⅔ *p.*]

Sept. 23. Whitehall. 137. Warrant of the Council to Sir John Heydon and the other Officers of the Ordnance, and to Capt. Will. Legg, master of the armoury, or his deputy, to issue to Sir Will. Balfour 64 pikes and corslets, 136 muskets with bandoleers and rests, 4 halberts, one partizan and colours, and 4 drums for the Tower Garrison. [*Draft.* 1 *p.*]

Sept. 23. Whitehall. 138. Notes by Sec. Windebank of the proceedings of the Council. The Lord Herbert desired to repair to York having left Somersetshire in very good order; but the Lords thought not fit to give him leave without the King's knowledge. To write to the King to write to the Lord Treasurer concerning the respiting of the payment of the money due to the lords that have lent. The Mint to be removed to Leaden Hall; the Mint men are afraid of the soldiers and the City are afraid to bring in their money. Many go in and out about this business of the Mint. To know the King's pleasure 12,000*l.* now sent down. [⅓ *p.*]

Sept. 23. 139. Note of the appearances before the Council of William Davis, of Mongewell, co. Oxford, Walter Hungerford, and Samuel Brewster; and that Sir Lewis Watson, Bart., being sent for by warrant for not showing a horse, has conformed himself and is discharged. [1 *p.*]

Sept. 23. 140. Francis Lord Cottington to Nicholas, to procure a warrant to be signed by those of the Lords in town for issuing the arms here specified to the 200 soldiers garrisoning the Tower, for to-morrow morning they will be all there. [1 *p.*]

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Sept. 23. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty about Lord Herbert's going to York; the Mint to be removed to Leaden Hall, his Majesty to write to the Lord Treasurer concerning the lords that are to be treated with to forbear their money. The Frenchman in the Tower belonging to the Queen-mother not to be removed, 12,000*l.* sent now. [I also wrote] to Mr. Treasurer Vane and Sir Henry Gibbs, the rest as to the King, to the Duke of Lennox, Will. Murray, Lord Conway, and Sir John Borough. [*See Aug.* 20, *vol. cccclxiv., No.* 45. ¼ *p.*]

Sept. 23. Newcastle. Committee of the Scotch Covenanters to William Earl of Lanerick. It is our part still to insist in our humble supplications to his Majesty for redress of our grievances, reparations of our laws, and with as great patience as may be to await his royal pleasure. This has made us yet again to send our renewed supplications to put his Majesty in remembrance of our former, which we entreat you in our names to present and to beg for us a gracious answer, with as much haste as his Majesty in his wisdom shall think convenient. [*Copy* = ½ *p. See Sept.* 4, *vol. cccclxvi., No.* 42, *p.* 7.]

Sept. 23. Warrant of the Commissioners for Saltpetre and Gunpowder to Montjoy Earl of Newport. To issue 24 barrels of gunpowder at 5*l.* per barrel to Bartholomew Hutchins, of Tower-street, London, wax-chandler, for furnishing certain ships and for supply of his shop. [*Minute. See vol. ccclv., No.* 61, *p.* 11. 6 *lines.*]

Sept. 23. Drury-lane. 141. Sec. Windebank to Edward Viscount Conway. The same defence you made for that intermission of our correspondence which has happened by the torrent of business, which the torrent of rebels has brought on us both, I beseech you to accept in justification of my silence both before and since yours of the 9th September. It is very true your services there have been censured here by those that understood them least. But for myself I always had that opinion of your worth and abilities in your profession, that I was not moved by anything that detraction suggested to your prejudice. Besides, the Archbishop Canterbury has abundantly cleared you concerning the neglecting to fortify Newcastle, which it is evident you did propose in your letters to his Grace in time to have preserved it from surprise. How the rebels now will be unnested is the business, and it will be hard work unless those that have been besotted with a belief of the Scots entering England as their redeemers will at last open their eyes and understand they come as conquering and tyrannous enemies and so join unanimously with his Majesty for their expulsion. [1 *p.*]

Sept. 23. Pumphrett, [Pontefract.] 142. Ludovick Earl of Crawford to the same. Excuse my long stay but the blame is not in me, for we received our pay before the 23rd of this month, and the cornet and arms my Lord Lieutenant gave order for are not come yet; but I shall see you again on Friday night. Please give order for our quarters for we shall be above 120 horse. [*Seal with arms and coronet.* ½ *p.*]

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Sept. 23. Langton Magna. 143. Capt. Richard Herbert to the same. I am yet in a doubtful sense to the world worthy or unworthy the condition of my place; and shall be until my cornet and I be declared worthy of death or punishment. As you are judge in the case, the time is yours; and because my own attendance is not all, I have rather chosen to offend in good manners than put my witnesses to an uncertain journey, and make the neglect double without command to do it. I beseech you direct me by your secretary. [*Seal with crest.* ½ *p.*]

Sept. 23. 144. Modern copy of the same. [½ *p.*]

Sept. 23. 145. The Society of Soapmakers, London, to Lord Treasurer Juxon. John Robinson, searcher of Ipswich, has given security to deliver the soap in question to such as we direct; and has promised for the future faithfully to search and seize such foreign soap as shall come into that port; of which we thought fit to acquaint you, leaving him to the favour of you and the rest of the Council. [½ *p.*]

Sept. 23. Carlisle. 146. Orders of the Deputy-Lieutenants, Justices of the Peace, and gentry of co. Cumberland. Ordered that a general muster be forthwith taken by the landlords of each hundred of the exact number of their freeholders, tenants, and cottagers; and that they choose one able man out of every five under their command, the other four to furnish with arms and daily allowance the fifth man employed to defend them and their country. It is further ordered that all freeholders shall come themselves, or send an able man, with arms and allowance, to be employed in the service; the trained band of horse and foot being excluded because of their more immediate service; and this to continue from time to time, so long as there be a necessity for such service; the rendezvous of the men chosen to be next Wednesday at Carlisle with seven days' provision, together with schedules from the landlords of men and arms sent. It is further agreed that the country in general shall contribute towards the charge of making such works as shall be thought fit by the Governor for defence of this City. For disposing of the freeholders, it is agreed the landlords or their stewards shall order it according to their discretion, in which it is desired that no partiality be used, and that all burghers and inhabitants of any town or corporation be also accounted into their numbers, and every fifth man chosen out of them as the rest. Ordered also that the private arms bought last year for the country's use shall be delivered to the parties in proportion to the money they disbursed. Ordered also that after these men are chosen exact order be given, on pain of death, that on firing of the beacons they repair with all speed to Carlisle, with seven days' provisions. Whereas divers landlords live in other countries, but have tenants and freeholders in this county, and were omitted in the former order, made by the deputy-lieutenants, justices of peace, and gentry of the county; it is therefore ordered by us [some of the deputy-lieutenants], and we desire the rest of the deputy-lieutenants to join us, that some of the deputy-lieutenants shall muster all the tenants and freeholders whose

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landlords do not live in this county, and choose able men from them according to the former order. It is further thought most necessary that every soldier bring, besides his arms, a spade, shovel, or pickaxe to the rendezvous at Carlisle, whence they shall be carried, for their ease, in carts to places where there shall be occasion to use them; the chief and petty constables to see these things observed. [*Endorsed by Sec. Windebank:* "Received from the Marquis Hamilton, 8 October at 8 at night." *Copy.* 1½ *p.*]

Sept. 23. 147. Note of the words interposed by Mr. Hazard, of Bristol, in the late prayer: viz., "and now and evermore detect and reveal unto him [the King] all those traitorous enemies in this kingdom that disturb the peace of the realm, and that vex and molest the hearts of Thy Church and faithful people," instead of these words, left out by him: viz., "especially against those his traitorous subjects, who, having cast off all obedience to their anointed Sovereign, do at this time, in rebellious manner, seek to invade this realm." With some other alterations here and there. [⅔ *p.*]

[Sept. 23?] 148. John Nicholas to his son Edward Nicholas. The news of your safe return [to London from York] was most welcome; I feared only the hazard of your health, riding post so long a journey. Your mother has not been well ever since your going but extremely melancholy, apprehending more fear for your safety among the Scots than there was cause for. I shall be most glad to see your wife, but sorry the coming of the Scots near London should be the cause. When your waiting month is ended you might spend some time with us, but these troubles I fear may hinder you. [*Damaged by damp.* 1 *p.*]

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Sept. 24. List of the Peers, Bishops, and Officers of State present at the Great Council of Peers assembled at York this day. [*See Sept.* 4, *vol. cccclxvi., No.* 42, *p.* 37. 1½ *p.*]

Sept. 24. 1. The King's speech to the Great Council of Peers, concerning a treaty to be had with the Scots, and how the army is to be maintained until a supply of money may be had from Parliament. [*Printed in Rushworth iii., p.* 1275. *Balfour Annales ii.,* 405. *Stevenson iii.,* 934. *Endorsed by Sec. Windebank:* "Received from Mr. Treasurer Vane, Sept. 26." *Copy.* 1¼ *p.*]

Sept. 24. 2–10. Nine copies of the same; besides another written on the same paper as Sept. 4. [*See vol. cccclxvi., No.* 42, *p.* 10.]

Sept. 24. 11–12. Two copies of the King's speech, with the motto of the Scottish standard underwritten, II. Chron. xv., 2, "The Lord is with you while yee bee with Him." The numeral letters herein make the year 1640, viz, m = 1000, d = 500, ll = 100, 7 v = 35, and 5 i = 5.

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Sept. 24. 13. List of the eight Earls and eight Barons nominated to be sent as Commissioners to treat with the Scotch Commissioners at Ripon [on Thursday, 1 October]. Mr. John Bellasis [son of Lord Fauconberg] to be the messenger from the King, to give notice to the Scots of the meeting, which was to take place at Northallerton on the 29th present [but afterwards changed to Ripon], and to arrange conditions for the safety of the Commissioners. [*Printed in Rushworth iii., p.* 1276. *Copy in Nicholas' hand.* ½ *p.*]

Sept. 24. Five other copies of the above list will be found written at the conclusion of the King's speech. [*See this vol., Nos.* 6–10.]

Sept. 24. 14–15. Two other copies of the same, headed English Lords sent Commissioners to the Scots, 1 October 1640.

Sept. 24. List of the Lords deputed from all the Lords of England to treat with the city of London for a loan of 200,000*l.* [*Written on the same paper as the above. See No.* 14.]

Sept. 24. The like, except that they are commissioned to borrow of the City 240,000*l.* [*See No.* 15.]

Sept. 24. Another copy of the list of the Commissioners to the Scots, and of the Lords deputed to treat with the City, to which is added a list of the Lords to remain with the army; viz., the Earls of Lennox, Strafford, Newport, Carnarvon, and Viscounts Grandison and Arundel. [*Written on the back of the King's speech. See No.* 10.]

Sept. 24. 16. Another copy of the lists of the Commissioners to the Scots, and of the Lords deputed to the City for loan of 200,000*l.* [½ *p.*]

Sept. 24. York. Lord Keeper Finch to Mr. [Thos.] Willis, [Clerk of the Crown]. You must forthwith, with all possible speed, give order to the Clerks of the Petty Bag, and such others as it belongs unto, or who may be useful for the quick dispatch of the business, to make ready writs for the Parliament, which the King has appointed shall be held the 3rd of November next, at Westminster. I shall need to say no more, but let you know that his Majesty's pleasure is no minute of time be lost; when the writs are done send them post with all speed hither, that I may seal them, and take order for their disposing. P.S.—The writs are to bear date this day, being the 24 of Sept. [*Written on the same paper as the preceding. Copy.* ½ *p.*]

Sept. 24. 17. Notes by Nicholas of matters to be propounded to the Lords of the Council. Besides the great daily charge of supplying the army, great sums are necessary to be presently furnished, for payment and discharge of mariners belonging to his Majesty's ships that are called in, for supply whereof, and for help to defray the present charge of the army, it is offered to consideration whether it may not be requisite, at the Great Assembly of the Peers, to

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propound to them to advise his Majesty :—1. By what means he shall be able to keep together his army till the aid of the Parliament. 2. How he may pay off the mariners belonging to the King's ships which are to come in, now ship-money is not paid. 3. How to supply and revictual those that are to be continued abroad for the winter guard. If the necessity of these services would abide delay till there might be a session of Parliament, there were no better way than that to supply these pressing occasions. But since it is well known they must sooner and forthwith be provided for, therefore it is to be offered to the consideration and advice of that Great Assembly, whether, *rebus sic stantibus*, it be not necessary for them to declare that they conceive it fit the arrears of ship-money for this year, being full 15,000*l.*, should be forthwith all paid upon a royal promise from his Majesty utterly to abolish it for the future by Act of Parliament or otherwise, and the rather because some counties have already paid all, some a half, and some a third, &c. ; and that there can be no way so ready and equal for the present levying of money for defraying the charge of these pressing occasions, which import the safety and honour of his Majesty and this nation. Besides it is conceived there are already in divers sheriffs' and collectors' hands considerable sums levied for ship-money which are like to be detained for particular men's advantage. [2 *pp.*]

Sept. 24. London. 18. Sir Henry Garwaie, Lord Mayor, to the Council. In obedience to yours of the 18th [16 ? *See vol. cccclxvii, No.* 69], of this month, it is humbly certified that the Court of Aldermen had no hand in contriving the petition lately intended to be exhibited to his Majesty by some of the citizens of London, neither did they subscribe it. [*Signed :* " Henry Garwaie, mayor, with the consent of the Court of Aldermen. 1 *p.*]

Sept. 24. 19. [The Deputy-Lieutenants of co. Northampton] to the same. According to one of yours of Sept. 16, we thought it our parts, in the absence of our Lord Lieutenant, to inform you for the east division of this county, that he has in person viewed and mustered all its trained forces, completing them with arms and able-bodied men, the abstract whereof we present to you herewith, whereby you may know the number of the men, and the quantity of munition and provision in store in this division. The other commands in your letter we will endeavour to see performed ; and for the other letter of the same date, we will speedily acquaint the country with its contents. [*Seal with arms and crest.* 1 *p.*] *Enclose,*

19. 1. *Certificate of his Majesty's forces within the east division of co. Northampton, specifying the number of men, arms, captains, and munition for the several hundreds.* [*Strip of parchment*].

[Sept. 24.] 20. Petition of William Davis, junior, of Mongewell, Oxon., to the Council. The sheriff, Rudolph Warcopp, about six weeks since, came with his servants to demand payment of ship-money from petitioner's father, petitioner truly answered that his father was not

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at home, and prayed it might be respited till he came home. But not satisfied with petitioner's answer Mr. Warcopp endeavoured a distress on his father's cattle, and has since misinformed you [*see Sept.* 17, *vol. cccclxvii., No.* 80], some rescue was made by petitioner, who is now detained by a messenger: he therefore beseeches you, since his father is most willing to pay all that was assessed on him, he may be released from this trouble, and be at liberty to go home. [⅔ *p.*]

Sept. 24. 21. Note of the discharge of Mr. Davis, of Mongewell, Oxon., he having paid in the ship-money assessed on him. [3 *lines.*]

Sept. 24. York. 22. Sec. Vane to Sec. Windebank. This serves for a cover to the enclosed from the Lord Keeper Finch, being orders to the Clerk of the Crown [Thos. Willis] to draw writs for a Parliament [*see above, No.* 16], which his Majesty is pleased to have summoned against the 3rd of November next. His Majesty and the Peers met this morning, and I am even now going to attend them again this afternoon, so I have not time to write more, but must refer you to an express I will dispatch to you to-night with ample relation of what has passed hitherto. P.S.—It is his Majesty's pleasure you inform the Queen hereof, and with it I beseech you to present to her Majesty my humblest service, and to tell her that his Majesty this morning expressed himself frankly to the Peers to their great satisfaction. [*Endorsed:* "Received [Sept.] 26 at three in the morning." [1 *p.*]

Sept. 24. York. 23. The same to the same. You will receive enclosed the copy of his Majesty's speech to the Peers at the opening of the Assembly; I have not known his Majesty express himself better since I have had the honour to serve him, and it was to the great satisfaction of all that heard him. This with the forms spent the morning; at two, after dinner, the King and Peers met again, when at first it was proposed by the Earl of Bristol to enter into a treaty with the rebels, most of the Lords being confident they have it in their power to make peace; but my opinion is it will not be an easy work. Hereupon, after some debate, they resolved to name Commissioners to treat with the rebels upon an accommodation, they named 16 Peers and appointed Northallerton as meeting place; the names of which Commissioners you will receive enclosed. His Majesty and the Council had not sat an hour when a packet was brought to Lord Lanerick from the rebels with a new petition to his Majesty supplicating in a more mannerly style than formerly, the copy of which I send you that you may the better judge of their proceedings. The Earls of Traquair, Morton, and Lanerick were by his Majesty commanded to assist in this Assembly and sat behind the King's chair; the reason was that Traquair was commanded to make the same relation to the Peers as he formerly did at the Council table, which was the ground on which the Lords advised his Majesty rather than yield to such demands to reduce the rebels by force. Mr. Bellasis, Lord Fauconberg's youngest son, was dispatched to-night to the Scottish camp, to inform them of to-day's resolution, that on

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Wednesday or Thursday next they may be at the place appointed, speedily to put an end to this unhappy business, for that as his Majesty's affairs are at present they will not admit of delay without danger. To-morrow the Assembly meets again at 9 o'clock, when is to be debated how his Majesty's army shall be maintained till the supplies of a Parliament may be had; if a good expedient be found I conceive it will much facilitate the treaty; the Lords seem all very sensible of the consequences that may follow both to King and kingdom should his Majesty's army disband before the Scots are put out of the kingdom, and therefore I hope my next will give you a good account thereof. His Majesty was no sooner in his chair this morning than the Lords by the mouth of the Earl of Bristol desired justice on Sir Will. Barkley for having said that the rebels had the hands of 37 of the nobility that invited them to come into England. If he be not able to make it good, they are sharp upon him, but I hope he will be able to clear himself. [*Endorsed:* "Received [Sept.] 26." 3½ *pp.*] *Enclosed,*

23. I. *Copy of the King's speech.* [*See above, No.* 2. 1¼ *p.*]

23. II. *List of the Lords appointed to treat with the Scots.* [½ *p.*]

23. III. *The Commissioners of the late Parliament, and others his Majesty's loyal subjects of Scotland, to the King.* [*Calendared below. See vol. cccclxvi., No.* 42. *Copy.* ½ *p.*]

Sept. 24. York. 24. Ulick Earl of St. Alban's and Clanricarde [to the same]. His Majesty has so freely and graciously expressed himself to his nobility and required their assistance with so much familiar sweetness and ready delivery in long debates, it gives me great hopes of better remedies to these late distempers than I could imagine should have happened in so short a time in public appearance; but I have some small comments of my own on this day's passages in my private thoughts that somewhat abate the content I ought to receive thereby. I must crave pardon for this disjointed discourse. I am infinitely tired and sleepy, arriving only just as the Lords had assembled. [1 *p.*]

Sept. 24. York. 25. George Lord Goring to the same. I do not only return you thanks for the addition of command you have procured me at Portsmouth, but I shall take such care in performing the conditions I have undertaken to his Majesty in it as shall dissuade you from repenting the honour you have done me. I have sent the bearer, Mr. Butts, to beseech you and the rest of the Lords to give warrant for a present supply of materials for work and arms to exercise the soldiers. [*Endorsed:* "Received Sept. 27th." *Seal with crest broken.* 1 *p.*]

Sept. 24. 26. Cornet John Dowe to Edward Viscount Conway. I came according to your command to North-Allerton and there understood by Major-General Hunks you had given order for the deferring of my proceedings. I humbly request you would send direction for speeding the examination of my witnesses, for whilst the business goes not forward I lose reputation and my testimony is discouraged by my captain, who yesterday by sound of trumpet summoned the

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whole troop and severally questioned them what they could say both for and against me. He does likewise till then detain my means, so that I cannot well support myself; it is six weeks next Tuesday that I have received but one week's means, he having received and detained the same. [1 *p.*]

Sept. 24. Berwick. 27. Sir John Byron to Edward Lord Newburgh. I doubt not but some of those letters I have written to you have by this time come to your hands, especially one which I sent in the Governor's packet. This messenger will be so long on the way that any news would be stale ere it could come to you, and generally it is so ill that I am weary of writing it; but of late we hear a troop of ours has cut off a Scotch troop and taken prisoner the captain, Sergeant-Major Douglas. I hope the effect of the meeting of the Peers with the King will be to drive out those vipers we have been too ready to entertain in our bosoms. They might easily have been prevented, for it is certain had they been kept but 24 hours longer out of Newcastle the whole army had disbanded; but now they have settled themselves so well, that unless the King has an army at Berwick as well as at York, the Swedes may be as well removed out of Germany as they out of England. I desire you to represent to Lord Cottington that of the wardship lands belonging to my son Bindloss 700*l.* per annum lieth in the Bishopric of Durham, whereof nothing can be received this year; and where nothing is to be had the King must lose his right, for the Scotch General, Leslie, has imposed a tax of 350*l.* a day on that county and exacts it punctually because there is no superior power as yet to countermand it, some honey the King may suck out of this weed that hereafter the ship-money will be thought but a toy. I hope Lord Cottington in consideration of this will think it reasonable to abate some part of the rent I am to pay. There is little appearence that I can leave Berwick this year, and therefore shall desire you that Robin Bindloss may not stir from Cambridge this winter, for till he have more discretion I believe it best for him to be where he may be most kept in awe. [*Seal with arms and motto "Crede Biron."* 2 *pp.*]

Sept. 24. York. 28. Sir James Carmichael to Mr. Maule, of Panmure. This other letter directed to you being casting to and fro I presumed to convoy it safely to you. I know not whence it came but had it from one in the Backstairs. To-day a Parliament is concluded to begin the 3rd of November, and eight earls and eight lords are chosen to meet the Scotch noblemen at Northallerton to mediate peace. Lord Bellees' [Mr. Bellasis, Lord Fauconberg's] second son, is sent to-night to Newcastle to appoint the day of meeting. [⅔ *p.*]

Sept. 24. The Hague. 29. Sir Will. Boswell to Archbishop Laud. This evening late I have received your despatch, with the enclosed from his Majesty by my secretary, Oudart, and shall give due account with all possible speed of the same, according to his Majesty's and your commands; praying heartily that my endeavours, which shall be most faithful, may also prove effectual. [*Endorsed by Laud:*

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"Received Sept. 30, 1640. Sir Will. Boswell's acknowledgment that he has received the King's direction and my letters." 1 *p.*]

Sept. 24. The Commissioners of the late Parliament, and others his Majesty's loyal subjects of Scotland, to the King. Your Majesty by your answer to our late supplications having appointed the 24th of this instant month for that great meeting where we should receive the answer to our petition, by these we presume to remember your Majesty of our former, and hereby earnestly beg such a resolution therein as may tend to the glory of God, the honour of your Majesty and welfare of your dominions, for which benefit we shall heartily pray and apply our weak endeavours, as they who are specially obliged, and do above all earthly things desire your long and prosperous reign over us, and who do wait your gracious answer. [*Sept.* 4. *vol. cccclxvi., No.* 42, *p.* 8. *Copy.* $\frac{2}{3}$ *p.*]

Sept. 24. Petition of the Citizens of London to the King. Moved by the duty and obedience which by the laws they owe to your sacred Majesty, petitioners humbly present these several grievances—The pressing and unusual impositions upon merchandize, and levying of ship-money, notwithstanding both which their ships and goods have been taken by Turkish and other pirates. The multitude of monopolies, patents, and warrants whereby trade is decayed. Innovations in matters of religion. The oath [and canons] lately enjoined by the late Convocation. The great concourse of Papists and others inhabiting in London. The seldom calling and sudden dissolving of Parliaments without redress of grievances. The imprisonment of divers citizens for nonpayment of ship-money and impositions and the prosecution of many others in the Star Chamber. The great danger your sacred person is exposed unto in the present war. Petitioners conceiving that these grievances are contrary to the laws, and finding by experience that they are not redressed by the ordinary course of justice, do therefore beseech your sacred Majesty to cause a Parliament to be summoned with all convenient speed, whereby they may be relieved in the premises. [*Printed in Rushworth iii., p.* 1263. *See vol. cccclxvi., No.* 42, *pp.* 34.–36. *Copy* = 2 *pp.*]

[Sept. 25.] 29A. Notes [by Francis Lord Cottington] of the proceedings of the Great Council of the Peers at York, the King being present, this day. Concerning a treaty with the Scots. Maintenance of the King's army and the loan of 200,000*l.* from the City. Amongst other points considered were: What answer to give the Scots? How to keep the King's army till the Parliament? Free speaking commanded to the Lords. A desire of the continuance of the King's presence at the debate. [$\frac{3}{4}$ *p.*]

[Sept. 25.] 30. Petition of Mary Tate, one of the creditors of Oliver Lord St. John, to the King. She has lent Lord St. John 1,000*l.*, being the greatest part of her livelihood, which with a great part of the interest is wholly unpaid. She took bonds for her money in some of her friends' names, to whom Lord St. John stands bound with divers sureties, men of ability as she conceives, and on whose security she

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relied when she lent her money, and whom she has procured to be sued at law for recovery of her debt, and proceedings have been near to the outlawry in the same suits. She has offered Lord St. John to accept land for her money at a full value, but can procure no satisfaction in that or any reasonable way, and she is informed that Lord St. John petitions you for your royal protection for himself and his sureties. She beseeches you out of your zeal to justice and for relief of your poor subject whose whole estate almost is concerned that you would leave her to the benefit of your laws for recovery of her just debt. [⅔ *p.*]

[Sept. 25.] 31. Rodolph Warcopp, sheriff of co. Oxon., to the Council. Complains he cannot perform the ship-money service, the country being generally resolutely bent against it, and his bailiffs not helping him. At the day appointed for returning the money not one of them brought him a penny; one baliff made no appearance nor return of his warrant; another sent his warrant and said he would first know the power of the Countess Dowager of Kent, whose officer he is, concerning the execution of such warrants; another demanded the money of all his hundred but none would pay, and he durst not distrain, being so threatened with suits and hazard of his life he had rather undergo the punishment for refusing to do his office; another said the same, but the last two bailiffs at length promised their endeavours to get it in speedily. [*Endorsed by Nicholas*: "Received Sept. 28." 1 *p.*]

Sept. 25. Whitehall. 32. Order of Council. Whereas Mrs. Mary Tate, one of the creditors of Oliver Lord St. John and Sir Capel Bedell, has, as appears by her petition to the Board, lent Lord St. John 750*l.*, which with a great part of the interest is wholly unpaid, and that Sir Capel Bedell four years since became bound in a bond of 500*l.* for repayment of 250*l* principal, part of the said money, together with interest, and no part of that money being paid, petitioner caused the bond to be put in suit, whereupon Sir Capel is outlawed and an extent had on his Majesty's behalf, but he procuring his Majesty's royal protection petitioner's proceedings on the suit have been stayed and so she much delayed, and yet no composition has been made or offered for the debt. The Lords did this day order that the Lord Keeper, Secretaries of State, Masters of the Requests, Clerks of the Signet, and all others whom it may concern, be required to take care that no protection be henceforth renewed or granted to Sir Capel nor suffered to pass the Great Seal till petitioner be paid. [*Draft.* 1 *p.*]

Sept. 25. Whitehall. 33. The like. This day Sir William Acton and other aldermen of London presented to the Board the answer [*see above, Sept.* 24, *No.* 18] of the Lord Mayor and Court of Aldermen to the Lords' letter of the 18 of this month, concerning a petition which the Lords were informed was preparing to be sent to his Majesty in the name of the City; with which answer the Lords were all much dissatisfied, because of its insufficiency in not answering fully the contents of their letter, and the message sent to the aldermen by Sir William Beecher. [*Draft.* ¾ *p.*]

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Sept. 25. Whitehall. 34. Warrant of the Council to Sir John Heydon and other officers of the Ordnance to send forthwith to Hull 3,000 spades, shovels, and other materials prepared for the train of artillery sent to Hull, but not sent with it. [*Draft.* 1 *p.*]

Sept. 25. 35. The like to the same. Whereas it is his Majesty's pleasure to have his garrison of Portsmouth well provided with powder, shot, carriages, match, muskets, and other warlike munition. These are to command you to issue and send away thither forthwith all such munition in his Majesty's store as is necessary by an estimate made by you April 30, 1639. [*Draft.* ⅔ *p.*]

Sept. 25. 36. The like to the same and the Officers of the Armoury. Whereas by his Majesty's express command 200 men are newly raised to reinforce Portsmouth Garrison; these are to command you forthwith to send thither complete arms for them. [*Draft.* ⅓ *p.*]

Sept. 25. Whitehall. 37. Order of Council. The Lords were to-day made acquainted by Mr. Crane, Surveyor of his Majesty's Marine Victuals, that he is to make in divers parts of the country sundry sorts of provisions for victualing his Majesty's ships from time to time, and therefore besought the Lords to give order that notwithstanding the general restraint, he may be permitted as he shall have occasion for his Majesty's service to bring to London or any other place where he shall have cause to use victuals for supply of his Majesty's ships, such quantities and sorts of victuals and beer as shall be requisite, which the Lords conceiving to be very fit to be granted him, did order that the Lord Treasurer be hereby prayed to give warrant accordingly from time to time when the Surveyor shall require it and for such proportions and sorts of victuals as he shall express under his hand. [*Draft by Nicholas.* ⅔ *p.*]

Sept. 25. 38. A pass for Walter Hamilton, a Scotch gentleman, to go into France, where he serves under Baron Douglas, Colonel, with his luggage. [*Draft.* ⅓ *p.*]

Sept. 25. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty with the Acts of State concerning the Scotch business. That of December 5, the 11th and 18th March in one paper, the instructions of the Covenanters to the Scotch lords sent hither, and a proclamation declaring an Act of State concerning a scandalous paper; these were sent to Mr. Treasurer Vane. There were sent to his Majesty the Lord Mayor's answer concerning the City petition, and a note from the Treasurer of the Navy; Mr. Nicholas' note concerning the shipping business. Smitherby's desire to lend 5,000*l.* more to that already due to him; Mr. Percy's troop. [I wrote] to Mr. Treasurer [Vane] to the same purpose. [*See Aug.* 20, *vol. ccclxiv., No.* 45. ½ *p.*]

Sept. 25. York. 39. Sec. Vane to Sec. Windebank. His Majesty yesterday declared himself for a Parliament so seasonably, that to day when the question was proposed how to maintain his Majesty's army until

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the Parliament, it having been advised unanimously by all the Lords that it was not safe while the Scots are in the kingdom for his Majesty to disband his army, I cannot express with what cheerfulness all the Lords entered into debate how to find the means to do it, his Majesty's treasure being exhausted, and after a little time unanimously resolved that the sum to be provided was 200,000*l.* to be borrowed from the City, for the better effecting whereof a letter is conceived and is to be signed by all the Lords to the City. The Lords Treasurer and Cottington are to offer them security from his Majesty, which, if the City will not accept, they have all resolved [to stand security], and instructions are given from the Assembly to six of the Lords, viz., Privy Seal, Chamberlain, Clare, Camden, Coventry, and Goring; deputed to treat with the City and entrusted from the rest to carry this letter, and these six are to go southward to-morrow and purpose to be at London next Tuesday. To-morrow, at 8 in the morning, the Assembly meets to prepare for the meeting with the Scots, which is now changed from North-Allerton to Ripon as the most convenient place, to discuss on what grounds the English Commissioners shall proceeed. I am commanded by his Majesty and desired by the Lords to attend this service, I conceive it will be difficult to bring it to a good conclusion. You have long known my opinion of these and will witness that I have not been deceived in my judgment of them, but *salus populi est suprema lex*, which I foresee is likely to be the compass we shall sail by. If the pacification could be the medium I conceive it were to be endeavoured by us, but I apprehend ruder conditions, and that we show so much our desires for peace that they will grow the more insolent. [*Endorsed by Windebank:* "Received by Proger [Sept.] 27 at Hampton Court, in the morning." 2⅔ *pp.*]

Sept. 25. Oct. 5. Paris. 40. Robert Earl of Leicester to the same. How last week's letters sped I cannot tell for the courier was robbed this day week 5 or 6 miles from here, as I heard next morning; but whether by the chance that lights on many passengers in this country for booty, or through curiosity, or by some authority, I know not yet, but hope time will discover the truth, and till next week I do not expect to hear from London in what state the letters came thither; but I fear there was foul play, for it is said some packets were opened, of which I shall not fail to complain if there be cause, and endeavour to get the best satisfaction I can. Meantime you will excuse me that I write less confidently than I would till I see more assurance of safe passage, and whereas I heretofore recommended a request of the postmasters here pretending a debt to be paid them by that office in England, I now beseech you that Mr. Burlamachi may keep the money till these officers deserve the interposition of your authority better than they have yet. I should wonder extremely at the boldness of the Scots if that quality in the judgment of all other nations did not make a good part of their character, but though in a manner they domineer for awhile, I hope the King's wisdom with the affections of his people in England will shortly send them home again. I have one son in the King's army and would have more if they could

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bear arms; and if I were not in another employment, I should not be one of the hindmost in presenting myself to serve his Majesty. If the English priest or friar mentioned in yours of September 17 be designed to come into England it will be impossible to hinder him, and the inquiry after him would be thought strange and impertinent, considering that those of his profession are known to pass to and fro between England and Spain and France and Flanders as freely as they do here from province to province, besides they are more shy of me than they have been of others his Majesty's ministers abroad, not that I ever did or intended them any hurt, but they are not confident of me, because I have gotten amongst many, I cannot tell how, the worshipful title of Puritan. And for his Majesty's service methinks it would be better to suffer him to pass into England that you may be the surer of him, for doubtless by the same useful persons that told you of his being here, you may be advertised of his coming into England; then among so many hundreds as they say are there of his or the like fraternities, if you think fit to single him out for examination methinks you better than any man may do the King that service by your authority and affection to his affairs. [*Endorsed by Windebank:* "Received Sept. 30, our style; answered October 1." 1¾ *p.*]

Sept. 25. Knottingley. 41. John Grymesdyche to [the same]. He and his wife have been long ill; they will not leave their home as long as the King's army is between them and the Scots. Prays him to see the pension due to him for having paid 800*l.* to the King and 1,000*l.* to King James as appears by letters patent be not withheld by the Lord Treasurer. P.S.—Thanks him for his favour to his son Jack, his other son Thomas has followed the evil example of his eldest brother, and so deserves nothing of his family. It will be the better for his daughter whom the Secretary has so kindly favoured, for he will settle most of his fortune on her. [1½ *p.*]

Sept. 25. 42. Sir Henry Vane, junr., treasurer of the navy, to Nicholas. No ship-money has been received this week, Sept. 18–25. [⅛ *p.*]

Sept. 25. Arundel House. 43. Thomas Earl of Arundel and Surrey to Lords Treasurer Juxon and Cottington. I have thought fit in respect of any sudden occasion to entertain divers officers fitting for a train of artillery and to assign them pay according to their qualities and employment, to commence from Sept. 17 last and to continue until I give order to the contrary. These are, therefore, to desire your speedy order for advancing to them 28 days' pay, beginning Sept. 17 and ending Oct. 14, according to their several entertainments set down in the list I send you signed under my hand. [*Endorsed by Nicholas:* "Received Sept. 28." *Seal of the Earl Marshal of England.* 1 *p.*]

Sept. 25. Northallerton. 44. Sir Fulke Hounckes to Edward Viscount Conway. Last night I had Mr. Belhouse [Bellasis] with me, who has gone to Newcastle. He tells me 16 lords of ours and as many of the Scots are to be here next Monday; this quarter is very small to receive them, especially

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if you return; therefore let me know whether I shall keep your quarters open for your coming, or if they may make use of them. [1 *p.*]

Sept. 25. York. Cuthbert Sidgwick to [Nicholas ?]. According to promise at our last parting at the Pye I promised to make you partaker what news were at York. The 24th of this present the Lords and Peers of the kingdom met at York according to their summons, where being set in a Parliament like way, the King acquainted them how the Estate stood, and withal desired their counsel and advice, they have concluded a Parliament, to be holden the 3rd of November at Westminster. The writs are gone out this present day. The King has referred the whole business to the Lords to have the managing of it, for his honour and their safety, concerning the Scots; the first thing propounded was which way they should be supplied for the present, betwixt this and the Parliament, they being in want to pay the army; the second was which way they should treat with the Scots, which was concluded that eight earls and eight barons should be sent as commissioners to treat with and to meet them at North-Allerton, the 29th of this present, being Tuesday, and Mr. Be..ies [John Bellasis], my Lord Fauconberg's son, went this day away to give them notes [notice] of the meeting with conditions for their safety; some certain freebooters of the Scots, being to the number of 120, came into Yorkshire to Mr. Pundish's house, he being a Papist, and plundered and pillaged it; some three companies of horse lying close by hearing of it took them tardy, killing 20 and taking 33, whereof the best are brought to York and the rest are in Richmond. The castle of Edinburgh is yielded six days ago, so is the castle of Dumbarton a fortnight ago; so that the King has no strength [stronghold] left in Scotland. [*Underwritten:* "List of the Earls and Barons to be sent Commissioners to the Scots." *On same paper as Sept.* 24. *See No.* 16. *Copy.* ⅔ *p.*]

[Sept. 25.] 44A. Henry Lane, mayor of Norwich, and Sir William Denny to the Council. According to your commands for the examination of Sir William Thexton's foot-boy, Alexander Pritchard, for the speeches given out of the intended burning of Norwich, and the many thousands that were coming against that city, as by your letter, a copy whereof is herewith sent, appears, the next day Sir William Denny sent into Suffolk and found out Sir William Thexton and his foot-boy, and caused them forthwith to come to Norwich and examined the said foot-boy before the Mayor of Norwich and himself as was directed by your letter; a copy of which examination we have also herewith returned. And howbeit no danger appears either thereby or by anything that has or is yet likely to happen, it being about a month since the thing should have happened, nor were Sir William Thexton, his lady, or Mr. Beddingfield privy to the speaking or knowledge of such words or things, yet the matter being of ill-example we have taken security of Mr. Beddingfield for the forthcoming of the said boy at the next general sessions of the peace for Norwich, to answer such matters as should be

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objected against him, if you give not any order to the contrary. [⅔ *p.*] *Annexed,*

44A. I. *Copy of the above-mentioned letter from the Council to Sir William Denny.* [*Calendared under date Sept.* 12. *See vol. ccclxvii., No.* 38. 1 *p.*]

44A. II. *Examination on oath before Henry Lane and Sir William Denny of Abraham James, servant to George Tilney, miller, of Trowse. On Saturday last as deponent was coming to Norwich he met a foot-boy in blue who told another fellow that went with him that Norwich was a fine and proud place and that there were* 12,000 *of —— coming, but he did not name of whom, and that he should well see Norwich on fire within a week. And deponent saith the said boy and man did keep at Mr. Beddingfield's at Kirby; and that Widow Barret, of Trowse, heard most of the before-mentioned words. August* 31, 1640. [⅖ *p.*]

44A. III. *The like of Alexander Pritchard, page to Sir William Thexton. He has served Sir Will. Thexton and his lady about a year, and about a month ago he was with them at the house of Mr. Edmund Beddingfield, at Kirby, near Norwich, and he came to Norwich one Saturday to see the city with a man whom he never saw before, who came with him from Kirby to Norwich. He stayed in Norwich till about four in the afternoon; beiny near Trowse bridge a man called him a Scot and said he was a Scot, and that he was now his prisoner, and then also said he heard there were many thousands coming to Norwich and asked him what news there was? Thereupon examinant told him he had met an old woman who said there were* 30,000 *coming to London, "and if they come this way it may be," said examinant, "they will burn the city and us all;" and being asked when they would come he said it might be within a week. But being charged with speaking the words set down by Abraham James and Widow Barret now read to him he denies he ever spoke them.* 25 *Sept.* 1640. [1½ *p.*]

Sept. 25. Warrant of the Commissioners for Saltpetre and Gunpowder to Montjoy Earl of Newport, Master of the Ordnance, to issue three lasts of gunpowder at 5*l.* per barrel to Robert Massey, of Warrington, or Thomas Browne, of Cheapside, London, for replenishing the magazine of co. Lancaster. [*Minute Book of Warrants for Gunpowder. See vol. cccl.v., No.* 61, *p.* 11. ⅕ *p.*]

Sept. 25. Similar warrant for 24 barrels of powder to Rice Williams, of Cheapside, London, for replenishing the magazine of co. Carnarvon. [*Ibid.* 4 *lines.*]

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Sept. 25. The like to issue 24 barrels of gunpowder to Thomas Hussey, of London, grocer, for supply of his shop. [*Ibid, p.* 12. 5 *lines.*]

Sept. 25. The like for 24 barrels of gunpowder to be delivered to Richard Allen, of Friday-street, London, grocer, for supply of his shop. [*Ibid.* 3 *lines.*]

Sept. 25. The like for 24 barrels to Thomas Abrahall, of Tower-street, London, chandler. [*Ibid.* 3 *lines.*]

Sept. 26. The Manor at York. 45. The King to the Lord Mayor, Sir Henry Garwaie, and Aldermen of London. By a letter from the Peers, the Great Council of our kingdom, to yourself, the Aldermen and Commonalty of London, you will sufficiently perceive the importance of the occasion wherein our royal person and the whole kingdom are interested, and with what unanimity so great a work as the preventing the eminent calamities and settlement of the present distractions wherein both kingdoms are concerned is so happily begun. For effecting whereof since the Peers of the kingdom, on mature deliberation, have thought fit that our forces for the security of these parts shall not be disbanded before those of Scotland; and that a present supply of 200,000*l.* be levied for their continuance and orderly dismissal, we have thought fit, by these our letters, specially to recommend this great cause to your care, requiring you with all convenient expedition to fall to serious consultation for supply of this sum. And since you have the offer of the Peers, a principal part of the representative body of this our kingdom, to join for your security as shall be agreed upon by those Lords deputed to treat with you, we expect you will not be wanting in your affection and duty to us, and care for your own safety, with ready hearts and hands to proceed to levy the said supply with such expedition as may best suit the necessity of important causes, and your own convenience. [*Copy.* 1 *p.*]

Sept. 26. 46. Bond of John Trigoll, constable, of Edmondsham, co. Dorset, in 50*l.* to the King. Conditioned for the payment of ship-money already collected by him to the sheriff of co. Dorset, and that he shall assist the sheriff's officers in levying the arrears. [*Latin and English.* ½ *p.*]

Sept. 26. 47. The conditions of the bonds of Thos. Sterne and Mr. Banister to the King in double the amount of the ship-money they are required to levy in Thame Hundred, co. Oxon., respectively; also the condition of the bond of John Trigoll in 50*l.* as above. [*Draft.* 1 *p.*]

Sept. 26. 48. Sir Thos. Rowe to Sec. Windebank. At this instant advice has come to me that 26 of the principal colonels and officers that have served the Swede have obtained their licence and got their rests in munition of war, a course begun by Leslie the Great, and are preparing at Gottenburg to sail in three ships for Scotland.

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They design to set out the 1st of November, if weather permit. They are men of note, as Colonel Lumsden, Colonel David Leslie, who was Lieutenant-General to Bannier, and his right hand in all these German wars, Colonel Sinclair, and others to the number of 26. I suppose it not difficult to surprise or prevent them, but leave it to your direction. [*Seal with arms.* 1 *p.*]

Sept. 26. Baddesley. 49. Thos. Leuinge, escheator of cos. Warwick and Leicester, to Lord Treasurer Juxon. Since my last to you several distresses have been taken by the Sheriff of co. Warwick, his under-sheriff, and servants, and some have been by force taken from him, others taken in the night by stealth, so that by this and the general dislike of this service in the county it has not been, and cannot be done, the constables generally refusing to distrain, no bailiffs to be obtained for money, and his own servants not willing to undertake it, which he required me to certify you, and that if some course might be taken for punishing such as by violence refuse to be distrained others would by that example more willingly pay or be distrained, of which, he says, information is given to Mr. Attorney General. The Sheriff of co. Leicester, since he paid in the money he formerly raised, has collected, and by many distresses raised, a considerable sum which he intends forthwith to pay in, and endeavour to collect the residue as soon as possible. [1 *p.*]

Sept. 26. North-Allerton. 50. Colonel Francis Trafford to Edward Viscount Conway. According to your commands I came to North-Allerton, but find you have given order that we proceed no further in Capt. Herbert's business. Let the gentleman who is now my cornet continue so, for if you put a stranger to me I shall be put to a great deal of trouble, and never look for quietness between the soldiers and the officer, being a stranger and not speaking Welch, their language. [*Seal with crest broken.* 1 *p.*]

Sept. 26. North-Allerton. 51. Sir Thos. Colepepper to the same. I am this night arrived here on my way to Yarum, where I was to attend your commands for intrenching the troops with me and the regiment sent by Sir Will. Pennyman; but missing you here I have sent this to beseech you to send me all such further instructions as you will have executed, both for my quartering and for keeping the fords and passages on the Tees, and how far you will have me stretch this guard upon the river side. P.S.— I have taken Capt. Flud [Lloyd] from Northallerton to advise with about the quarter, and shall be glad to receive your general commands by Sunday night. [*Three seals with arms and coronet.* 1 *p.*]

Sept. 26. 52. Examination of Mr. Leeson, taken by Sec. Windebank, concerning brass ordnance sent into Scotland. He says, he thinks about three weeks since Mr. Alley, trunkmaker to his Majesty, came into the company of Mr. Neale, Clerk of the Scullery, and said three pieces of brass ordnance had been cast by Sergeant Yong, two of which were sent for Scotland, and one of them still remained

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in Alley's house. He thought they were made of his Majesty's brass. He further says they were founded in Lothbury by a man named to the sergeant by Alley. [*Underwritten*: "To send for Alley. Sir Thos. Merry has been made acquainted with it." ¾ *p.*]

Sept. 26. 53. Bond of Thos. Horth, of Great Yarmouth, merchant, in 2,000*l.* to the King. Whereas Horth hath, before the sealing hereof, delivered to John Duke, for himself and the rest of the farmers of the duty upon salt, divers bonds and specialties whereupon there remain yet due and unsatisfied for the said duty the several sums specified in the schedule annexed. Conditioned that upon proof made of any of these sums having been already received by Horth he shall pay over the same to John Duke and the other farmers. [*Latin and English.* ⅔ *p.*] *Annexed,*

53. I. *Schedule signed by Thos. Horth, of money remaining unpaid upon bonds. Total,* 271*l.* 18*s.* 6*d.* [⅔ *p.*]

Sept. 26. 54. The King to Francis Lord Cottington. Whereas we signified to Sir Will. Balfour by Sec. Vane our pleasure for committing to the Tower La Borde, a French gentleman and servant to the Queen-mother, and by warrant under Sec. Vane's hand he was committed on the 12th of June last, and remains a prisoner there. We now hereby command you forthwith to cause him to be safely conveyed out of the Tower and delivered to such person or persons at our house at St. James', where the Queen-mother is lodged, as shall be authorized by her to receive him. [*Draft by Sec. Windebank.* ⅔ *p.*]

Sept. 27. 55. John Crane, surveyor of marine victuals, to [the Council]. The estimate for the winter guard, five ships and pinnaces manned with 633 men, which are to be victualed for five months, is 3,165*l.* The estimate for four ships and pinnaces employed to the northward manned with 355 men to be victualed for one month comes to 355*l.*; total 3,520*l.* My desire is you will give timely order for the above sum of 3,520*l.*, none of these ships having victuals aboard to serve longer than the 19th of next month. [1 *p.*]

Sept. 27. 56. Francis Lord Cottington to the same. In obedience to your commands I gave directions to my deputy-lieutenants in co. Dorset not only to make ready the forces of the county, but to give me an account what they are and how provided for service; they have given me this account, viz.—Besides the forces of the island of Purbeck and the maritime towns, they have 14 companies of foot, making 1,500 men, very able-bodied and completely armed, and two troops of horse, both making 100 able and well armed men, all ready to march at a day's warning. They will be provided with powder and all other necessaries, and they are levying money for the said provision. But the two captains of the isle of Purbeck, Robert Swayne and John Dolling, refuse to come to the deputy-lieutenants or to give any account of these forces, pretending exemption under

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Mr. Attorney General, whereof we have no notice. The maritime towns yield obedience, Poole, Weymouth, and Lyme, but their men are few and for the most part now at sea, but they will supply them as occasion shall require. [*Seal with arms and crest.* 1 *p.*]

Sept. 27. 57. The Council to Lord George Digby [the Earl of Bristol's son]. Understanding from the Earl Marshal your ready affection to his Majesty in this extremity by raising and exercising such persons as shall voluntarily offer themselves to serve his Majesty with horses for defence of the kingdom, we have recommended this your good intention to Lord Cottington, Lord Lieutenant of co. Dorset, and prayed him to give you authority and encouragement for levying and training such as with their own officers you shall procure by good persuasion and example to serve his Majesty with horse on all occasions. In which noble endeavour as you will procure to yourself much honour, so shall we be ready on all occasions to tell his Majesty of your forwardness to serve him in so advantageous a way. [*Draft by Nicholas.* 1 *p.*]

Sept. 27. 58. The same to Capt. Will. Legge, master of the armoury. These are by virtue of his Majesty's letters of Privy Seal of April 14th last directed to you for issuing all sorts of arms remaining in your charge to require you to deliver to Sir Wm. Balfour, Lieutenant of the Tower, 64 corslets or cuirasses complete, and 200 swords and belts for arming the men appointed for the Tower guard. [*Draft.* ½ *p.*]

Sept. 27. 59. The same to the Justice of the Peace for Berks. Whereas John Garmon, W. Spott, Will. Michell, of Cookham, and John Pease, of Swallowfield, stand bound to answer at the next quarter sessions in that county for refusing to accept prest-money. As the Attorney General is by his Majesty's directions to proceed against them in such court of justice as he shall think most proper for offenders in that kind, we require you to discharge them from their attendance at the quarter sessions on their recognizance to appear and answer such information as shall be exhibited against them next term by the Attorney General. [*Draft.* ¾ *p.*]

Sept. 27. 60. Council warrant to a messenger to bring before the Board Robert Norgate, Anthony Leeke, bailiffs, and George Tyliard, of Yarmouth. [*Minute.* ⅓ *p.*]

Sept. 27. 61. Sec. Vane to Sec. Windebank. His Majesty having, as you know, given order for summoning a Parliament, has received divers petitions from several parts of the kingdom representing their many grievances. And that he may the better facilitate the matter he has in hand, and sweeten his proceedings therein, he has commanded me to let you know he is pleased to release all those committed to the Fleet or other prisons for refusing to pay coat and conduct-money; and that the Board consider what other prisoners are committed by them for matters that may raise disputes in the ensuing Parliament, thereby

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to impede his affairs; that thereupon you may give such order for their discharge or otherwise as the Lords conceive to be best for his Majesty's service. Whereunto his Majesty, of his own gracious accord, and to testify his royal intentions to proceed clearly, is the rather induced, that he may, if possible, make this a happy meeting, and by his goodness prevent this assembly here, who may peradventure in the conclusion move him thereunto. P.S.—I enclose by his Majesty's command a note of the names of such of his servants as he thinks should be provided with burgesses' [seats] to attend this present Parliament, and it is his pleasure you speak with the Lord Chamberlain concerning it, his Majesty expecting some help from him for the others, you are to see them provided out of such places as are in her Majesty's and the Prince's gift. You will therefore cause letters to be written accordingly. [*Endorsed:* "Received [Sept.] 29, at 8 in the morning; answered 30th." 1 *p.*]

Sept. 27. North-Allerton. 62. Sir Fulke Hounckes to [Edward Viscount Conway]. I have received yours by the hand of Sir Thomas Lucas, which commands me to lay by the commission I had and can think of nothing more than obedience, which shall be ever willingly performed whatever censure may pass on me. I hope I have not deserved the Lord Lieutenant's or your displeasure that has caused this change, nor will I be so unmannerly as to think more of it if you please so to have it, and so I told Sir Tho. Lucas, and have sent a horseman to him for orders and he sends one to me, but required me to certify the other majors of his power, which I desired him to excuse me, but would acquaint you with it. P.S.—Sir Thos. Culpepper has passed by but would not leave men or any ammunition, nor is there any to be had. [2 *pp.*]

Sept. 27. [Carlisle ?] 63. William Hartwell to the same. I have been here a week. On Tuesday I intimated to you my arrival here by a letter in Sergeant-Major Alcock's packet to Sir Nicholas Byron by the post, persuaded that way sooner to obtain your commands than by an express, which was providing. Last Saturday morning came a post from York, but by him nothing to my hopes, so I have adventured a messenger and this in desire to receive from you which way and where to wait on you, which is both uncertain and hazardous, the Scots being out in parties, and you with the army. [*Seal broken.* 1 *p.*]

Sept. 27. Commissioners for Gunpowder to Mountjoy Earl of Newport. To issue 18 barrels of gunpowder to Edward Amery, of St. Katherine's, Tower, London, chandler, for his shop. [*Minute. See vol. cccIv., No.* 61, *p.* 12. 6 *lines.*]

Sept. 27. The like. To issue 18 barrels of gunpowder to William Felgate, of London, chandler, for his shop. [*Ibid.* 3 *lines.*]

Sept. 27. The like. To issue 25 barrels for replenishing the magazine of Yarmouth, to be delivered to William Bennet, of London, merchant. [*Ibid.* 4 *lines.*]

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Sept. 28. 64. The Council to [Lord George Digby, son of the Earl of Bristol]. Whereas we understand from the Earl Marshal your fordwardness to serve his Majesty in this extremity of his affairs by raising and exercising such persons as volunteer to serve his Majesty with horse for defence of the kingdom, we not only approve of this your good intention, but very much commend it, and take it as a sure argument of your zeal to his Majesty's service, and the safety and honour of this nation. And for your better encouragement and furtherance herein, we authorize you to levy, arm, and exercise all volunteers in or near the parts [Sherborne, co. Dorset] where you remain who offer themselves or by your noble example shall be induced to serve his Majesty and the public. [*Draft.* ½ *p.*]

Sept. 28. 65. Another draft of the same by Nicholas. [¾ *p.*]

Sept. 28. The same to [Thomas Earl of Arundel and Surrey, Earl Marshal of England]. Whereas we understand that some of his Majesty's well-affected subjects volunteer to equip themselves to serve his Majesty with horse, and to that end desire to be trained under the command of some persons of quality, whereby they may be made more expert in the use of their arms and horse when there shall be occasion. We pray you to give authority to the Lords Lieutenants of counties where you shall understand there are any persons forward, to qualify themselves to serve his Majesty as volunteers, to appoint some person of quality to command them, and exercise them as often as shall be fit, whereby to make them ready in the use of their arms to serve his Majesty and the kingdom. In which noble practice we pray you to direct such Lords Lieutenants to give encouragement to all such as shall in this kind set themselves forward, and to appoint the person who shall command them to give the Lord Lieutenant of the county account from time to time of their readiness, and that the Lord Lieutenant likewise certify you thereof. [*On same paper as the above. Draft by Nicholas.* 1 *p.*]

Sept. 28. Whitehall. 66. The same to Francis Lord Cottington. We recommend it to you to give Lord [George] Digby authority and encouragement for raising and exercising within the county of your lieutenancy [co. Dorset], all gentlemen and others with their own officers who shall voluntarily offer or by his example be induced to serve his Majesty and the kingdom with horse; and conceiving it a very honourable and acceptable service we pray you to cherish it in such good way as you shall conceive to tend most to the good of his Majesty's service. [*Seal of the Council.* 1 *p.*]

Sept. 28. 67. Same as above. [*Draft.* ⅔ *p.*]

[Sept. 28.] 68. The same. [*Draft by Nicholas.* ⅔ *p.*]

Sept. 28. Whitehall. 69. Notes by Sec. Windebank of the proceedings of the Council. Letter from Lynn-Regis; masters and wardens of companies, 500 or 600 of them. They receive the Communion. The Recorder speaks and puts them in mind of their duties. The Common Sergeant brings two of the three names chosen by the Commons below; of

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these two the Mayor and Aldermen choose one. The Recorder signifies to the Commons which of the two the Lord Mayor and Aldermen have chosen, to which they ought to submit. [Alderman] Acton's carriage when he was sheriff in the Parliament house. The Star Chamber in Bagg's business. He lent the King a cartload of money; which he did not. [½ *p.*]

Sept. 28. Notes by the same of his proceedings in the King's absence. [I wrote] at 11 in the morning to his Majesty [about] the Scots; Swedish commanders; Alderman Acton; Hull fortifying; libel; Lord Cottington. [I wrote] to Mr. Treasurer Vane to the same purpose. To Lord Marquis Hamilton as above with a letter from the Archbishop of Canterbury. [*See Aug.* 20, *vol. ccccl*xiv., *No.* 45. 5 *lines.*]

Sept. 28. New College 70. Dr. Thos. Read to his brother, Robert Read. Though I was always confident my uncle was abused, yet I am glad I can with so good authority stop their mouths who may be ready to lay an aspersion on his actions, of whose reputation I am bound to be very tender. We have been much comforted by your last week's occurrences and hope to receive as good news this week. Many greedily hearken to your relations as the only oracle of true reports. We now long to hear to what good effect the Lords have met at York. I suppose they have by this time declared themselves, for these are not times for delay. It is reported here that 4,000 Scots assaulting Berwick are quite cut off by the King's forces there, and that Sir John Pennington has in a sea-fight defeated the French navy. What grounds there may be for these reports I know not, but I believe neither. However, you may perceive we have some well affected among us who report as they wish. Mr. Wardon, Dr. Massen, Mr. Stringer, and my Cousin John, who since you have been pleased to write believe nothing but what comes from your hand, present their respects. We do sometimes join our forces for a bottle of sack and drink your health solemnly over 1½*d.* faggot. P.S.—Our last news is that Edinburgh Castle is yielded up to the Covenanters, and that Sir Henry Gibbs is condemned at York for writing a traitorous letter. [2 *pp.*]

Sept. 28. 71. Francis Read to the same, his cousin. Since you are pleased to continue your great favour in taking the pains to acquaint me so frequently with the grand passages of these times, I am confident you will also find time to read my hearty thanks. Some doubtful reports, such as we make usually of things we would not have true, I had heard of the late business at the Tees, but am infinitely glad to see the truth of what I hoped confirmed by you. I am hopeful the business of escuage for Faccombe may have respite, without prejudice, until my coming to London, which shall be about the middle of next term, for not having a copy of the last office I cannot learn by what part it is held. This week will acquaint you with the success of the meeting at York. Should there be any resolution for a Parliament, as is much apprehended here, I should be glad of as speedy notice as might be, especially if I might be able to do you any service towards

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it. Nor would I be altogether unmindful of procuring a place, which I am loth to labour for till I hear the truth of that, which I conceive but improbable. [1 *p.*]

Sept. 28. Bristol. 72. Humphrey Hooke to the same. Understanding from him that keeps the accounts of the butter business that there was 25*l.* to be paid to Mr. Windebank, I thought fit to take it into my hands and to desire my friend Mr. Thos. Huchins to pay it to you, desiring you to give him an acquittance for so much assigned by Sir Henry Hungate. [½ *p.*]

Sept. 28. Sarum Close. 73. Richard Green to Edward Nicholas, relating the settlement about his farm at Longparish, the repairs necessary, and other private business. [2 *pp.*]

Sept. 28. Berwick. 74. Sir John Conyers to Edward Viscount Conway. By Mr. Ratcliff of this country I wrote last to you, I had expected the Scots before this town ere now, and that was also the opinion of General Riven [Lord Ettrick] and Sir John Henderson when they came out of Scotland. Some of their forces I now hear have passed towards the army, so may be it is not their design. By this gentleman, Mr. Paine, I hear of the Assembly to be next Thursday at Pontefract [Ripon] of the lords of both nations, and also the resolution taken for a Parliament, makes me believe we shall have a cessation of arms, perchance a peace presently; but with what honour to us the Scots' army can retire I cannot imagine. If possible I beseech you procure me leave to come to the army, for I have many things to remonstrate about to my Lord Lieutenant [of Ireland] and others touching this place and hereabouts. Besides it may be this garrison will be wholly reduced if peace be made, and then I willingly would not be out of the way. I wrote to you twice about the receipt of my pays there, and sent you two blanks. I beseech let me know whether you have received them, as also what money; if no money be received pray inform me what course to take to obtain it, and the sooner the better before the sum grows too great. Besides I have great want of money here; if it were possible I would fain have sent hither what can be got. It is too much trouble to you, but employ Capt. Floyd about it as also in the conveying of it to me. [*Seal with arms broken.* 2 *pp.*]

Sept. 28. York 75. Endymion Porter to his son, Capt. George Porter. I had much difficulty to send away the man with the dogs from London; try them and such as you like not send back to me; if you send them all away now I shall thank you, for you shall not stay there long. Though you take your pleasure in the day see you be vigilant in the night, for now upon treaties they will be aptest to revenge their last affront. [*Seal with arms and crest.* 1 *p.*]

Sept. 28. 76. Examination of Thomas Pidgeon joiner, before Dr. Robert Sybthorpe, justice of peace for co. Northampton. Being asked what he did with a warrant delivered to him subscribed by Dr.

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Sybthorpe for apprehension of Will. Walker, of Hardingstone, for speaking dangerous words against his Majesty's just government, he says he gave it to Walker himself but knows not what became of it afterwards. Being asked whether during his Majesty's expedition into the north this summer he has not received any prayers to be delivered to sundry ministers, particularly to the minister of All Saints', Northampton, for his Majesty's safety and success against his rebellious subjects, &c., to be read in time of Divine Service, after the prayer for the Queen and royal family, he says yes, but he received no direction with them to deliver them to the minister of All Saints', or any other, when they were first given him about a fortnight since; nevertheless he dispersed them in the several parishes in the deaneries where he is apparitor, some to the ministers, some to the churchwardens; and the prayer to be read in All Saints', Northampton, he gave to Peter Whaley, churchwarden, and finding it was not read on the following Sunday he asked why, and Whaley told him to take no care for it, he would answer it, but being told by Dr. Sybthorpe he ought to have delivered it to the minister last Sunday before morning prayer he tendered it Mr. Holmes, curate of All Saints', who refused to receive it, and he then laid the prayer down on Mr. Holmes' surplice in his sight, but it was not read; that morning Whaley told him, when he delivered to him the prayer as aforesaid, that he, this examinant, had no authority to do so. [1½ *p.*]

Sept. 29. 77. The Council to Lord Treasurer Juxon. Whereas John Baylie, Will. Spencer, and Thomas Prince, of London, cheesemongers, have bought great quantities of cheese and butter in the counties of Suffolk, Cheshire, and Stafford, and desire to transport out of these counties 200,000 lbs. of cheese and 100 tuns of beer from London to Hull, and thence to his Majesty's army, and likewise to transport out of Suffolk to London 1,000 firkins of butter. We pray you, that they and others may be encouraged to furnish his Majesty's army, forthwith to direct the officers of the ports in the said counties as also in the Custom House, London, to permit them to transport the cheese and beer to Hull for the use of his Majesty's army, and the butter to London; but to give strict order to all the officers that very good security be given by them to carry the cheese and beer to Hull and no other port, nor beyond seas, and the butter to London and not elsewhere, and to bring you good certificate of the delivery thereof. [*Draft.* 1 *p.*]

Sept. 29. 78. Sir Thomas Powell, sheriff of co. Chester, to the Council. According to your warrants to Francis Taylor and Edmund Barker, messengers of the Chamber, the latter having taken into custody George Edgley, head-constable of Nantwich Hundred, repaired with him to my house, where Edgley submitting, and some friends interceding for him, the messenger took his bond with surety to appear before you at any time you command his appearance and dismissed him. The other delinquents, John Hulse, John Skragg, Constable Dongcastle, Harrison Kettle, and John Kilshawe, submitted on like con-

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ditions. Barker received from them 10*l.* 10*s.*, fees due to the Clerk of the Council, himself and Taylor. [1 *p.*]

[Sept. 29.] 79. Petition of Thomas Banister, of Dorchester, co. Oxon., to the Council. On complaint of the sheriff, petitioner has been kept in custody of a messenger these 12 days to his great charge and before he can be discharged [*see* 30 *Sept.*,] he is commanded to enter into bond to execute all processes directed to him from the sheriff for levying the ship-money. Petitioner is and ever has been most willing to do his King and country any service imposed on him, and has taken great pains in assessing the ship-money in Dorchester, and has there paid accordingly, and is still ready to further the payment thereof when he shall be required; but under favour of the Board he is a private man and no way subordinate to the sheriff, who has bailiffs of his own ready to execute his precepts in the hundred of Dorchester, who have usually gathered the ship-money there without petitioner. His suit therefore is he may not enter into bond, but be discharged of further attendance, being willing to assist the sheriff in gathering the said money. [⅔ *p.*]

[Sept. 29.] 80. Petition of Richard Appletree, of Wotton, Joseph Coleman, of Banbury, Benjamin Goodwin, of Bloxham, high constables, and divers petty constables of Oxon. now prisoners in Oxford Castle, to the same. Petitioners received several warrants from Rodolph Warcopp, sheriff of Oxon., for collecting the ship-money and distraining, and have collected and returned it to him with the names of such as refused to pay, whereupon warrants issued from the sheriff to them personally to distrain and sell the distresses, whereupon petitioners desired him to secure them from actions in case they should distrain, which he refused, this caused them to refuse to execute his warrants, for which also they refused to be bound to appear at the Council, and therefore stand committed by him. They therefore crave their enlargement and refer the consideration thereof to you. [⅔ *p.*]

Sept. 29. York. 81. Sec. Vane to the Council. His Majesty has taken notice of a rumour spread by some factious spirits ill-affected to the good of his affairs, that on receipt of the Londoners' petition he should publicly have spoken reproachful words against them, which how contrary it is to his mildness and sweet temper you very well know. But lest by this scandalous report, the citizens being prepossessed therewith, his Majesty might suffer much in his affairs, and the good affections of his people there, he has commanded me to acquaint you with it, and to require you in his name to take occasion to dispossess his loving subjects of that City of any such injurious belief, which he takes much to heart, it being so contrary to his royal disposition and intention, that could the authors be found out he would make them public examples to all others that shall presume by such false and malicious suggestions to labour to withdraw the good affections of his subjects from him, to the further distempering of his affairs in this present conjuncture. Wherein your wisdoms will best direct how to remove any ill impressions that are or shall be made as occasion shall offer. [*Copy by Read.* 1 *p.*]

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Sept. 29. 82. Another copy of the same. [¾ *p.*]

Sept. 29. York. 83. The same to Sec. Windebank. The Scots' Commissioners appointed to meet with ours are the Earl of Dunfermline, Lord Loudoun, the Sheriff of Teviotdale [Sir Will. Douglas], Laird of Wauchton [Sir Patrick Hepburn], Alexander Henderson, Mr. Smith, and Alexander Johnstone; number and quality we have and a good cause, God grant we manage it; besides there are assistants, the Earls of Traquair, Morton, and Lanerick, and myself. On Thursday we meet at Ripon and if we are overreached in treaty we have precedent for it, our predecessors have done so before us. I gave you order from his Majesty in my last that you should release all the Buckinghamshire men and others that were imprisoned from the Council table for coat and conduct-money, as also that the Lords will consider the releasing all others now in prison committed by the Council, it being his Majesty's express pleasure, thereby hoping the minds of his subjects may be better prepared and sweetened for a Parliament. This I shall desire you to take care of if it be not already done, for I conceive it will be most neccessary to be done for his Majesty's service. I hope your Londoners will lend the 200,000*l.*, if that be, I doubt not we shall do well, and bring the Scots to reason; if otherwise, I will say to you his Majesty is in a most unhappy condition and dangerous, but I hope the best. His Majesty goes to-morrow to Hull but returns hither on Thursday, the morning the English Commissioners go to Ripon with the assistants. Enclosed are your three letters with the bills signed. Lord Ettrick, with the Governor of Dumbarton, arrived at Court this evening, both full of the scurvy. To-morrow Lord Littleton and the Attorney General journey from this place towards the south, who, if you handle them right, will tell you of many good passages that have been amongst the Peers [in] this Assembly wherein Lord Strafford has had his part. The Earl of Bristol has spoken much and freely, Berkshire is not silent, but I hope all will end well. The Pacification is made the ground of the treaty and now cried up and justified by all, *nemine contradicente.* The truth is if a good peace can be had it will not be refused. P.S.—Mr. Sydenham has spoken with his Majesty concerning the allowance Witherings gave him out of the Post Office; he has also spoken with me. I answered, I can say nothing, for the office is but sequestered; nor can I make any answer without communicating with you, that it will be time for him to speak to the King of this business when the office is settled, it being now in sequestration. Tell me by your next how you like this answer. The Scotch Commissioners would not come upon his Majesty's safe-conduct but demanded the Peers' subscription to it, that was not thought fit, but the Peers all wrote a letter to them testifying that his Majesty signed and sealed it in their presence. [3 *pp.*]

Sept. 29. Yarum. 84. Sir Thos. Colepepper to Edward Viscount Conway. I am instructed to receive all commands from you for guarding the river near Yarum with the 12 companies I have brought and with Sir William Pennyman's regiment which I found here; but failing to

meet you at North-Allerton this is my second to you to send me word how far you will have the guards of foot stretch from Yarum along the river. I understand at Nisom is a very considerable ford, which being 8 miles from Yarum, I conceive it too far for any foot to be relieved from here, therefore I expect your pleasure whether I shall lay any foot so far from relief or not. I am to-day going with the Quarter-master General to survey the river and place our guards as we find occasion within 3 or 4 miles from Yarum; if you will have me stretch them further, it shall be readily done. P.S.—I have taken the best course I can for the present for intelligence from Newcastle and Durham, and shall on all occasions serve you therewith. [*Seal with arms and crest.* 1 *p.*]

Sept. 29. Yarum. 85. The same to [the same]. Missing Lord Conway at North-Allerton I marched forward, and arrived last night, the 27 [28] with the troops here. I find here a hill of great advantage close before the bridge where Sir Will. Pennyman had begun a small work. I have with the Quarter-master General's advice begun a greater work, where I intend to make two batteries and dispose two pieces, the other two pieces I have planted on the bridge, whence I can take them to answer any alarm on the river. Discusses the practicability of guarding the fords at Nisom and elsewhere, as above. I have provided three men to be always going and coming between Newcastle and Yarum, and two between Durham and this place, and as they bring intelligence I will send it. I have some malefactors in hold for great robberies and mischief to the country people, but my instructions not warranting me to do justice on the spot, I desire your further directions how to dispose of them or other offenders. Here are divers that come with their sheep and cattle to drive them over out of Yorkshire into the Bishopric [of Durham], but I refuse them all to pass, conceiving it great disservice to the King so long as his enemies hold those counties. I have also resolved on a place where to make a standing quarter for all these troops with the Quarter-master General's advice to be our retreat in case of necessity, but for the present I have lodged all the troops in this town with Sir Will. Pennyman's men. [*Seal with arms and crest.* 2 *pp.*]

Sept. 29. 86. Edmund Rossingham [to the same]. If my Lord Admiral [the Earl of Northumberland] miss his fit to-day he will have missed it four days, which I believe he has, and now I hope he will get strength and Mr. Gerrard's good stomach. I hope also to see you here again ere long, for we are all mad with joy here that his Majesty calls his Parliament, and that he puts the Scotch business into the hands of his Peers, who, the hope is, will make peace on any conditions. It is written that the King of Spain offers his rebels of Catalonia to sign a blank and let them write what conditions they would have; we wish the Scots out again and in their own territory on those terms rather than to hazard our lives and fortunes where nothing is to be got but wounds and death, all which we must expose now to drive these rebels out again. [1 *p.*]

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Sept. 29. 87. Spencer Earl of Northampton to his wife, Countess Mary. I hoped as soon as we had agreed on the Lords who are to treat with the Scots and the conditions on which they were to treat we should have had leave to go home; but the King will not let any of us come away till the Lords Commissioners come back. List of the Lords Commissioners. They are to treat with the Scots concerning departing this kingdom and the assurance of settling things in their own country according to their laws. Be mindful about making James [Lord Compton] knight of the shire, and send to all gentlemen of the country in whom I have any interest. I have sent to the sheriff and to Mr. Chamberlain of the Court of Wards. We expect to hear this week whether the City will furnish us with 200,000*l.* to keep the army together till the Scots go out or Parliament sits; to whom we have sent the Lord Chamberlain, Lord Privy Seal, Lords Camden, Coventry, and Goring, with a letter signed by us all, and instructions to give them security for their money both from the King and us. P.S.—I have sent into the Low Countries to James to come home speedily. [*Seal with arms and coronet.* 1 *p.*]

Sept. 29. 88. Bond of William Blakesley, of Sapcote, co. Leicester, to Archbishop Laud in 100*l.*, the condition being that if the marriage between Blakesley and Margery Messenger be lawfully solemnized, in St. Mary's, Leicester, and Blakesley do keep Archbishop Laud and his officers harmless touching the marriage, this bond is to be void [*In dorso:* "This William Blakesley is the man of whom I wrote, that he is prosecuted for incest in marrying Margery Messenger, widow, *alias* Baily, who is sister to his former wife." *Latin and English.* 1 *p.*]

Sept. 29. 89. Information of James Davis, of St. Saviour's, taylor, before Daniel Featley, D.D., at the Surrey Sessions. Last night Stephen Williams in his company spoke these words—The Scots' army, now in the north, were honest men, and if they were all here at London, they would find as many would take their part as the King's. [*Underwritten:* "The examination of Stephen Williams. He confesses he said that there were in London a great many religious men, who, if the Scots were here, would take their part rather than the King's, for speaking which he is heartily sorry." ⅔ *p.*]

Sept. 29. 90. Sir Robert Tracy and John Plat to the Council. We being required by the Lords' letters to inform ourselves touching the work done by the parties petitioners, being workmen for Sir Thos. Thynne, deceased, and what money they have received, and then to certify our doings therein, have to report that we, in the presence of Mr. Henry Frederick Thynne, son of Sir Thos., and of Mr. Curtis and others, the Lady Thynne's servants, on the behalf of her and of the said petitioners, upon the 17th present did hear and examine the points referred to us by the Lords. Particulars of the bills exhibited before them. It being alleged on the Lady Thynne's behalf that the workmen demanded pay for more work than they had done, and that they had received more money than they confessed, by

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consent of all parties Henry Freame, a surveyor, was appointed to survey and measure the works, whose certificate differs in some particulars from the workmen's bills, but on the whole matter, as we conceive, not much. [2 *pp.*] *Enclosed,*

90. I. *A survey by Henry Freame of the workmen's work upon Kempsford House, late part of the possessions of Sir Thos. Thynne, taken in Sept.* 1640. [1½ *p.*]

Sept. 29. 91. Debit upon Rob. Longe's accompt, as receiver of Recusants' revenues in the south, for the year ended at Michaelmas 1640. Total paid into the receipt of the Exchequer for the year 1639, 4,421*l.* 6*s.* 8*d.*, leaving still remaining 23*l.* 7*s.* 3*d.* [1 *p.*]

[Sept. 29.] 92. John Davies [prebendary of St. Asaph], to Archbishop Laud. Do not be surprised that I have sent to you these letters as I consider in my heart this hubbub extols Laud's generosity to the poor and other virtues. The writer is overcome by the glory of Laud's greatness. Will not write more lest he should be thought presumptuous. [*Endorsed by Laud:* "John Davies' epistle to me in Hebrew, received Sept. 29, 1640. The same in Chaldee, Syriac, Turkish, Arabic, Persic, Greek, and Æthiopic. *Hebrew.* ⅔ *p.*]

Sept. 29. 93. The several estimates made for extraordinary works done at the Tower of London. Total of the three estimates, 1,493*l.* 19*s.* 0*d.* Of this the stables were not done, being estimated at 65*l.*, but other works were done by command, which were not in the estimates, amounting to a greater sum. [¾ *p.*]

Sept. 29. 94. Accompts of the card business from May 1637 to Michaelmas 1640. Total allowances and money paid, 2,005*l.* 0*s.* 0*d.* Total profit, 1,753*l.* 17*s.* 6*d.*, out of purse, 251*l.* 2*s.* 6*d.* [¾ *p.*]

Sept. 29. 95. Wardrobe receipts for the three years ending respectively at Michaelmas 1638, 1639, and 1640. Total of receipts for the last of these years, 17,080*l.* 9*s.* 11*d.*; from which deduct disbursements, 16,348*l.* 2*s.* 0*d.*, remaining over, 732*l.* 7*s.* 11*d.* [1 *p.*]

Sept. 29. 96. Accompt of moneys received by the Earl of Denbigh as Master of the Great Wardrobe, and of provisions and payments made by him in the years mentioned, viz., from Michaelmas 1621 to Michaelmas 1640. Total of receipts from 15th April 1630 to Michaelmas 1640, 188,514*l.* 18*s.* 9*d.* Total of the provisions and payments within the same time, 248,383*l.* 9*s.* 8¼*d.*, so rests in surplusage, 59,868*l.* 10*s.* 11¼*d.* Whereof there has been received within the years mentioned as certified by Sir Robert Pye 19,159*l.* 7*s.* 1½*d.*, so the surplusage yet remaining unpaid is 40,709*l.* 3*s.* 9¾*d.* [5 *pp.*]

Sept. 30. Whitehall. 97. Notes by Windebank of the proceedings of the Council. David Mallard, shoemaker to the King, charged by three witnesses with saying that the Scots are honest men, and that they are liars that say they are rebels and traitors, and so it would prove, and

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such like words. A great and tumultuous company. A mutiny. The danger of innovation; and how far it is in the King's power to receive or reject [the new Lord Mayor], and this according to their charters. A number of young mechanics made such a cry nothing could be heard. They would not hear of [Sir William] Acton; the checks turned out 1,500; Acton 200; [Edmund] Wright more; [Thomas] Soame only named, nine before him. Soame and Wright the most voices, but they earnestly desired they might be spared. Nothing in the charter for Michaelmas Day only. The Lord Mayor desires to know the King's mind. The Lord Mayor [was] very hearty, and said he is Mayor, and will keep it till the King put him out. He must be new elected. These 300 years none refused but for poverty or infirmity. That the private companies be disposed between this and Tuesday next; that none be admitted by the Lord Mayor to come in but such as ought to give their voices, and that by scrutiny; and none but such as bring tickets from their companies that they have power to give voices. Whether the King shall be advised to give way to him they shall choose. They have no fear nor awe of the Government. They say they have a Mayor, and that is Soame. None will serve after Soame. It is not fit the King give way to this innovation; and if they will not choose Acton, or continue this man, to refuse any other that they shall choose. The King to declare himself before Tuesday next, with all speed, that we may have time to co-operate. To give the Mayor and Recorder a fair testimony to the King. Two yeomen of the guard committed for refusing to pay duties for watching and warding. [1 *p.*]

Sept. 30. Warrant of the Committee of Council to Thos. Fauconberge. To issue to the officers and attendants after named belonging to the train of artillery for the southern parts of England one month's pay of 28 days out of such money as you have received upon the Privy Seal for 50,000*l.* Dated Sept. 11, 1640. [*See vol. cccxcvi., p.* 353. *Copy.* ⅔ *p.*]

Sept. 30. 98. The Council to Lord Treasurer Juxon. Whereas by his Majesty's command, on the 9th of this month, we prayed you to direct the officers of the ports to prohibit transport of corn, butter, cheese, or other victual beyond seas, or from port to port, except to Hull, for use of his Majesty's army, by virtue of which it is conceived the transport of herring and fish from Yarmouth is prohibited; and therefore the aldermen of that town have petitioned because the transport of 600 lasts of herrings in strangers' vessels, usually granted them, is the very livelihood of the fishery there, that they may transport them in those vessels as also fish to London, and other ports in this kingdom; we therefore pray you forthwith to order the officers of that port to permit the transport of the 600 lasts in strangers' vessels, and other fish as before, any former restraint to the contrary notwithstanding. [*Draft.* 1 *p.*]

Sept. 30. 99. The same to the same. Whereas Dennis Gawden, in June and September 1639, bought of Mr. Crane out of his Majesty's

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store 450 barrels of butter, returned from the army in the north and some cheese, and thinking to transport it advanced his Majesty money for it, and sent part thereof away; the rest, although now old and not fit for his Majesty's service, or his subjects' use, the officers of the Customs will not permit him to transport, by reason of the late general restraint; we pray you to order the officers of the Customs to suffer him to transport the same. [*Draft.* 1 *p.*]

Sept. 30. Whitehall. 100. The same to the same. Whereas William Harris, Tho. Deacon, Andrew Hawes, W. Wilson, and John Small, of London, cheesemongers, did by contract with you and Lord Cottington undertake to exchange 2,000 firkins of old butter for new, and at their charge to deliver the new butter at the ports of Berwick, &c., for which they were to have liberty to transport beyond seas 4,000 firkins of butter, yet by reason of a late general restraint prohibiting the transportation of any victuals beyond seas petitioners are not permitted to send away the old butter; we therefore pray you, in regard of the said contract, and that the butter is old, and altogether unfit for his Majesty's service, to order the farmers of the customs to suffer them to transport as much of the butter as is untransported, any former restraint to the contrary notwithstanding. [*Draft.* 1 *p.*]

Sept. 30. Whitehall. 101. The same to Capt. [Thomas] Rudd, one of his Majesty's engineers. Whereas some works are to be set in hand for strengthening the fortification of Portsmouth. These are, in his Majesty's name, to require you to make immediate repair to Portsmouth, where you shall receive from the Governor full directions for finishing the fortification; and you shall receive such pay as has been allowed you in other his Majesty's services of the like nature. [*Draft.* $\frac{1}{3}$ *p.*]

Sept. 30. Whitehall. The same to the Officers of the Ordnance and Armoury. Whereas, by warrant from the Board of the 25th of this instant, you were required to send to Portsmouth arms complete for 200 men newly raised for reinforcing the garrison there. These shall be now to require you, in lieu thereof, to deliver 200 muskets with rests, and bandoleers and swords, 200 pikes with head pieces, corslets, and taches, not only for arming and exercising the 200 men with pike and musket, but also that there may always be in readiness a fit proportion of arms for the use of the inhabitants of that town and the adjacent isle on all occasions. You are moreover to issue, for a further supply to the said garrison, 400 spades, 300 pickaxes, 300 shovels, and 200 wheelbarrows, not comprehended in your estimate of April 30, 1637, but which have been certified by the Governor of Portsmouth [Colonel Goring] to be necessary for better securing the town. [*On same paper as the above. Draft.* $\frac{1}{3}$ *p.*]

Sept. 30. 102. The same to the Lords Lieutenant of Essex, or their deputies. Whereas we are informed that Mr. Thomas Overman, soapmaker, in Southwark, being charged to find a light horse and other arms in Surrey, and finding a musket for his estate in Stratford Langton

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in Essex, where he assures us he has not above 20 [pounds] per annum is lately further charged in that county to find a light horse, which we conceive very high if he has so small an estate there, and he having lately done his Majesty good service, and being ready at all times to serve him; we therefore pray you to free him from finding a light horse for the small estate he has in Essex. [*Draft by Nicholas.* ⅔ *p.*]

Sept. 30. 103. Order in Council. That his Majesty's Solicitor General be hereby required to consider the information sent herewith against David Mallard, prisoner in Newgate, and to send for him and the witnesses, and having examined him and them touching the speeches charged against him, to certify the Board in writing what course he conceives fit to be taken against him. [*Draft.* ½ *p.*]

Sept. 30. 104. The Council to the Sheriffs of London and Middlesex. Whereas Startup Jackson petitioned that his houses on Tower-hill near his Majesty's storehouses might not be demolished, but be again surveyed according to an order of Nov. 6, 1639. Calling to mind our former directions of July 15 last, upon several reports made by Sir Chas. Herbert, Surveyor General, and seven other commissioners of March 31, 1638, and Inigo Jones, Surveyor of his Majesty's Works, and Lawrence Whitaker, two other Commissioners for Buildings, of June 21, 1639, to you the Sheriffs of London and Middlesex by which for reasons therein expressed we directed that the houses, cottages, shops, and other buildings should be demolished by the 10th of October last, which we expected had been put in execution, we therefore hereby again expressly require you to demolish the buildings according to our former directions. And we also command that Jackson do not by himself or any other trouble the Board any more about this business. [*Drafts.* 2 *pp.*]

Sept. 30. 105. The same to [John] Glynn and Peter Heywood, justices of peace for Westminster. Whereas divers complaints have been made to us that, notwithstanding several orders of this Board, one Egglesfield still keeps a new-erected tavern in King-street, for suppression whereof by Order of the 9th of this month we required you to shut the doors of the house and absolutely to suppress him from selling wine there or in any other newly erected tavern in Westminster. As we understand that Egglesfield by himself, his wife, or servants keeps the tavern open and sells wine there we therefore require you to see that it be absolutely suppressed, and the wines remaining removed, and that you commit whosoever shall there be taken henceforth selling wine contrary to this our order. And whereas we are informed there are two or three families that cohabit in the house where the tavern is kept we require you to cause due inquiry to be made thereof, and in case you find that those that dwell in the house are in the nature of inmates you are to cause them to be proceeded against according to law, and of your proceedings herein we expect you to give the Board speedy account. [*Draft by Nicholas.* 1 *p.*]

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Sept. 30. 106. The same to Sir Job Harby. Whereas Mr. John Lanyon, one of his Majesty's proofmasters, has been employed, with two artificers, in Germany, Liege, Namur, Brabant, and Flanders, for proving arms and other munition for his Majesty's service, for which by order of the Council of War he is to have allowance of 10*s.* per diem for himself, and 3*s.* per diem apiece for the artificers, we hereby pray you out of such of his Majesty's money as you have in your hands on account for the said arms to pay Mr. Lanyon for himself and the two artificers after the rates aforesaid for the time they were employed in that service, deducting only for the month's pay given to Mr. Lanyon for himself and the artificers before they went beyond seas. [*Draft by Nicholas.* 1 *p.*]

Sept. 30. 107. The same to David Bandinell, dean of Jersey, Sir Philip Carteret, Francis Carteret, and Michael Lemprier, gent. and jurats of Jersey, or any two of them, the Dean to be one. By the enclosed petition of Mary Messervy, widow, to the Board, you will perceive her grievance, which we earnestly recommend to you, and hereby authorize you to call before you all the buyers of her deceased husband's rents, mentioned in it, and by treating with them cause them to pay her the full or reasonable value of the rents, after the rates now usual in the island, or else give her leave to treat with others for them, and join in assurance with her to the last contractors, who are to pay to the first their full disbursements with interest at 8 per cent. abating the yearly receipt of the rent wheat, which if either of them refuse, then certify us in writing of your proceedings, that further course may be taken for her relief. [*Draft.* 1 *p.*]

Sept. 30. 108. Council warrant for Mr. Pocock, deputy auditor of the Duchy of Lancaster, with the Receiver of the honours of the Duchy, and their clerks and servants, to repair to the Duchy to hold his Majesty's audits and receipts of the revenues. [*Minute.* ½ *p.*]

Sept. 30. 109. The like to the Keeper of the Marshalsea to take into custody Overington Blundell, and keep him safe prisoner. [*Minute.* 5 *lines.*]

Sept. 30. The like to the Warden of the Fleet to release Richard Serjeant and Valentine Wanton. [*On the same paper as the preceding Minute.* 3 *lines.*]

Sept. 30. 110. Note of the appearance of Robert Woods, clerk of Pepper-Harrow, Surrey, and his discharge upon submission. [4 *lines.*]

Sept. 30. 111. The like of David Mallard, his Majesty's shoemaker, to answer the charge against him for words spoken in favour of the Scots. [4 *lines.*]

Sept. 30. 112. Note of the discharge of Thomas Sterne, of Long Crendon, co. Berks., and Thomas Banister, of Dorchester, Oxon. [5 *lines.*]

Sept. 30. Alton. 113. The Deputy-Lieutenants of Hants, to the Council. We received two letters from you on the 27th instant, to the one we

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answer that as yet we have made no excuse for the marching of our troops, nor shall we do so but on just occasion, though we know we have of late had as many charges laid on us as any county in England. And as we have been ever ready to serve his Majesty and observe your commands to the best of our ability, so shall we be willing as far as any of his Majesty's most loyal subjects to continue the same, being confident of receiving no heavier charge than we can bear. To the other, we have written to the colonels and captains of the trained bands to be ready to march on a day's warning and all other things to be prepared fit for such an occasion, also to have the beacons repaired and diligently watched, all which we doubt not will be carefully performed, and if any difficulty arise we will acquaint you therewith. But touching a magazine of powder, we have heretofore written to you that our country never had any except what Queen Elizabeth provided, and that was by order delivered to my Lord of Worcester on promise to have it mended, it having grown old with long keeping, but we could never receive any again. We have often written for powder which the country would willingly take at reasonable rates to exercise themselves in the use of their pieces and to have some store by them for defence of the country. But powder has been held up at such rates the people have been very unwilling, considering their many other taxations, to deal for it. We desire you we may have powder at such a rate that the country may be encouraged to buy it and then we shall be able to make men fit to serve their King and country. [$1\frac{2}{3}$ *pp.*]

Sept. 30. 114. [Robert Read] to the town of Hythe. I have received from Mr. Wandesford certain papers concering a proposition for a harbour at Hyde [Hythe], wherein I have undertaken to move his Majesty, and shall not fail for his sake as well as your benefit in use my power therein which had not been so long retarded had not the absence of his Majesty and the Lord Warden [of the Cinque Ports] put a stop to it. Meantime, I doubt not you will acknowledge his friendship to your town and give him the respect due to so good a benefactor. [*Draft by Read.* $\frac{1}{2}$ *p.*]

Sept. 30. York. 115. Sec. Vane to Archbishop Laud. I am by his Majesty's command to let you know that on several petitions presented by divers churchmen, as well in the diocese [province] of Canterbury as of York to which many hands are subscribed, as the mode of petitions now is, against the oath and canons made in the last Synod, his Majesty's pleasure is, that as before his coming into these parts, he ordered that the execution of neither should be pressed on those that were already beneficed in the Church, which was ordered at the Board in your presence, but should be administered to those that were to receive orders and be admitted; it is his pleasure now that those should be dispensed with also, and no further prosecution thereof made until the Convocation. [*Endorsed by Laud:* "Received Oct. 3, Sir H. Vane, to put off the oath to the Convocation." *Seal with arms and crest.* 1 *p.*]

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Sept. 30. York. 116. The same to Sir Thos. Rowe. Your last, with a petition of our merchants against the depredations of the French, came safe to my hands. Until we be better at home I can only expect the same from all parts. His Majesty is now so busy with this Great Council he has not time to think of anything else and therefore you cannot yet expect an answer to it from me. The Danish ambassadors took leave of his Majesty last Sunday, their errand being to interpose betwixt his Majesty and the Scots, which he in a civil way declined, being now resolved to proceed therein with advice of his Peers and kingdom, which is but high time. They had three audiences, in all which his Majesty asked them whether they had powers and order concerning the treaty of commerce [initiated] by yourself with that King [of Denmark], to which they in the two first audiences told his Majesty their errand was the accommodation, in their last that they had not order to speak of that business; whereupon his Majesty commanded me to go to them and speak plain language concerning it, which I did yesterday morning, but I found by them plainly they had no order at all, and he that was ordained for that business was put off, that they two were from Court during your abode there, and Ulfield smiled, intimating there was something on his Majesty's part and yours that was not complied with; so I see little hope from these ambassadors that that King will comply with the treaty made by you, at which our Eastland merchants are much dissatisfied and at the excessive tolls the King of Denmark puts on his Majesty's subjects; thus much I thought fit to let you know there before the ambassadors go away, that you may, if you think fit, speak with them. I am, to morrow morning, going to Ripon to be an assistant to the Commissioners of the Peers [who are], to meet those of Scotland at Ripon. The latter have of us but too much the upper ground. [*Seal with arms and crest.* 2½ *pp.*]

Sept. 30. Oct. 10. The Hague. 117. Charles Louis, Elector Palatine, to the same. Soon after my arrival here I received yours of Sept. 17, and have seen also what you wrote to the Queen concerning the Danish mediation, for which necessary information and your constant care of my interest I shall still remain beholden to you, and shall also be able to clear others of that error that the King of Britain had wholly remitted my cause to the King of Denmark, or given way that it should be separated from the general cause; I beseech you still to labour that that King's mediation may go on in the way, the King, your master understands it, and not to my prejudice, as is likely to be if it be separated from the general amnesty, as my adversaries pretend to do. For my part, on the offer he [the King of Denmark] made the Queen in his last letter when I was in France, to procure me a safe-conduct to send to Ratisbon, I have thanked him for it, and desired it might be such that I might in honour accept it, and besought him to continue his good offices that my interests might not be excluded out of the general amnesty. The French King and Cardinal [Richelieu] have only paid me with fair promises to be effected in case England joins with them, and a ring; without England I must hope nothing from them, and scarce then. Since you remain at London I shall

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not fail to let you know my actions every week, and what I receive from Germany or France, wishing soon to hear of an accommodation and resettlement of my uncle's affairs. [*Seal with arms.* 2 *pp.*]

Sept. 30. Oct. 10. The Hague. 118. The same to Sir Richard Cave. Since my arrival in this country I have received yours of Aug. 28, Sept. 4, 11, and 18, which I would not answer till I heard by the two last that you are not likely to be here suddenly, and I approve your opinion to come over when you see some probability of a settlement of present affairs in England, but you will also do well to consider whether your coming hither, just when a Parliament is calling, will not be subject to misconstruction, and herein you may advise with my friends and follow their counsel as also about your being of the House. I wonder to hear how business goes in England, but I hope the King having called his Great Council will resolve to have a Parliament, and having settled his own affairs to his own and his subjects' contentment, he will think of us, and then it will be in Britain's power to give a peace to Christendom and make the two great parties that strive for the sovereign command to take such conditions as it will think reasonable, because it will then be able to sway either one side or the other. The proposition of the King of Hungary at the Diet of Ratisbon tends chiefly to have the peace of Prague confirmed by all the states of the Empire, and if the business in England come not to a good end suddenly the Protestant party in Germany is likely to go to the pot, for which France does not much care. The Imperialists are said to have passed the Weser into Lüneburg land notwithstanding their repulse at Höxter, where they lost 1,000 men; if that country be ruined, Bannier will have to seek winter quarters. I am very much astonished at what you write to me about a justice of peace, and a [Roman Catholic] gentleman of Sussex. I have seen the Scots' and English Lords' petitions long before you sent them and Lord Lanerick's answer to the Scots, with their reply, besides other papers that belong to that business. I hoped you had made some good correspondence with somebody at the King's court, as I desired you would, to be acquainted particularly with what passes. I once promised [name in cypher] 50*l.* a year if he would undertake it you may try him again. P. S.—Remember me to Sir John Davers [Danvers] and my other friends. *In dorso,*

118. I. *I send you herewith the King of Hungary's proposition at Ratisbon, which you may have translated and communicate to Sir Thos. Rowe and others as you see cause.* [3 *pp.*]

Sept. 30. York. 119. Thos. Webb to Robert Read. First let me thank you for the packet and then answer yours enclosed with it of the 28th instant, which I am sorry I received not sooner, for before it came my Lord had been, as you suppose, infinitely importuned for places in this next Parliament, and merely to avoid more he commanded me to write his letters for such as he then thought of, that they might be answers to all other suitors, and this was dispatched this morning before he went to Hull with the King, so that if you will take a plain truth for a fair excuse thus stands the case, my Lord has

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written to every corporate town for one, and I know not whether his power will extend to more, but if your friends there believe it will, you shall be sure of my service, or if you have a mind to Whitchurch or any other place in Hampshire they are yet free, and with a letter of ours and Lord Cottington's will speed any where. This being the best service I can do you at present, not to delay my answer, I send it you with the best wishes for success. [*Seal with arms and crest broken.* 1 *p.*]

Sept. 30. Berwick. 120. Sir John Conyers to Edward Viscount Conway. I wish myself with you with all my heart, but see no appearance of it as long as the Scots threaten us here, which they yet do; [Lieut-Col. John] Munroe being still in these parts busy drawing forces together. The Earl Marshal of Scotland, William Keith, has marched towards the Scotch army with 1,100 foot and three troops of horse. When the King and his Peers and Parliament are agreed, no doubt all will go well; but I cannot believe the Scots will ever go from Newcastle till they be beaten thence; the air is warmer here and the revenues greater than those of that kingdom. They draw so much from the country that I cannot get corn for our money, but now they say these frontiers must be quit. When money comes to the army I beseech you if it be possible let what is due to me be sent me, for we are in want here; and I shall be glad if you can procure me leave to come to Ripon. I was glad to hear of the taking of Sir Alexander Douglas. I cannot fasten on any of them, the country is too open, and we have too few friends in it. Besides I am too weak and our horse over tired with watching. I am preparing all things possible here and at Holy Island to resist the enemy, but want all kinds of necessaries. [*Seal with arms.* 1 *p.*]

Sept. 30. 121. Note by Colonel Goring [Governor of Portsmouth], of the arms and implements required for fortifying of Portsmouth, in addition to the estimates given in to the Lords of the supplies required out of the stores. The particulars are given above in the Council's letter to the officers of the Ordnance and Armoury [*see p.* 116, *Sept.* 30]. Requests that Capt. Rudd may be sent to Portsmouth. [*Endorsed by Nicholas:* "Received Sept. 30, 1640." 1 *p.*]

Sept. 30. Whitehall. 122. The charge of Sir William Russell and Sir Henry Vane, junr., treasurers of the navy, setting forth the several sums of ship-money received of the sheriffs of the counties specified, levied by virtue of the writs issued in 1638; and by order of Council to be by them expended and disbursed in and about the setting forth and furnishing of divers ships for the guard of this realm. Total sum charged, 69,750*l.* [5½ *pp.*]

Sept. 30. Warrant of the Commissioners for Saltpetre and Gunpowder to Montjoy Earl of Newport. To issue two lasts of gunpowder to Bartholomew Hutchins, of Tower-street, chandler, for furnishing certain ships and supply of his shop. [*Minute. See vol. cccl.v., No.* 61, *p.* 12. 6 *lines.*]

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Sept. 30. The like. To issue 24 barrels to Mr. Russell, of Tower-street, London, chandler, for furnishing ships and supply of his shop. [*Ibid.* 3 *lines.*]

Sept. 30. The like. To issue 12 barrels to Jaspar Selwyn, of Threadneedle-street, grocer, for his shop. [*Ibid.* 3 *lines.*]

Sept. 30. The like. To issue to John Freeman, of London, 12 barrels for his shop. [*Ibid.* 3 *lines.*]

Sept. 30. The like. To issue to Robert Smith, of Tower-street, London, chandler, 12 barrels for his shop. [*Ibid.* 3 *lines.*]

[Sept.] 123. Petition of Thomas Robbins, John Yeates, and Thos. Pym, constables of Banbury, co. Oxon, to the Council. Petitioners were sent for by warrant from you and are now in the messenger's custody to their great charge because they refused to distrain for ship-money; now because they are heartily sorry for their offence, promising to have a care hereafter never to offend in the like way, and what they did in not being bound to appear before you being only out of ignorance, they beseech you to order their enlargement, the rather that there never was any such service before required at their hands. [1 *p.*]

[Sept.] 124. Petition of Tho. Smith, Tho. Phipps, Tho. Acres, Jo. Gardiner, and Michael Willett to the same. Thos. Roberts, of South Newton, Oxon., about a year ago refusing to pay ship-money, you sent a messenger for him, and after examination set him at liberty, but as soon as he came into the country he declared openly he had sped well at the Board but for that ugly rogue the Comptroller and had found favour of all the rest; which words he spoke in petitioners' presence to Tho. Hall, of Bodicott, who answered that on any complaint the Lords of the Council were very treacherous men, and many other railing terms passed between them. Now as such opprobrious words were spoken publicly by them, and petitioners not knowing how far their venomous tongues may trench into the government of a civil state and what danger they may be in should they conceal it, they leave the consideration of the premises to you. [⅔ *p.*]

[Sept.] 125. Warrant to the Auditors of the Imprests. Whereas Lord Keeper Finch has paid into his Majesty's Exchequer 2,000*l.* by way of loan, to be repaid him out of the fine of 6,000*l.* for the wardship and marriage of the Right Honourable Heneage Earl of Winchelsea, viz., 500*l.* on February 24, 1641; 500*l.* on August 24, 1642; 500*l.* on February 24, 1642; and 500*l.* on August 24, 1643; for loan of which 2,000*l.* his Majesty is pleased to allow the Lord Keeper interest at 8*l.* per cent. to be cast up from the time of payment into the Exchequer till the several days of repayment. These are to require you to cast up the interest thereof accordingly. [*Draft.* 1 *p.*]

[Sept.] 126. The Council to James Duke of Lennox. We send you enclosed a petition from Sir John Manwood wherein he represents that being with others his partners possessed of a fishing buss named

1640. the Society, in July 1639 she set out from Dover and being in the midst of fishing was by Dunkirk men-of-war surprised and taken to Dunkirk, and there adjudged a prize and with her lading sold, whereby petitioner and his partners were damaged above 1,200*l.* And some Dunkirk men-of-war having about July last taken a French ship laden with Newfoundland fish, with which they were sailing towards Dunkirk, but either from leak, ill weather, or fear of the enemy put it ashore between Deal and Dover and she is now carried into Ramsgate, the ship and fish being worth about 300*l.*, petitioner desires to be authorized to take into his custody the ship, fish, &c., paying a reasonable charge for saving it, as part of his and his partners' loss from the Dunkirkers, and be accountable for it till he receive other satisfaction from them, which having considered and thought not unreasonable we recommend it to you, to give direction therein for petitioner's relief as you shall think just. [*Draft.* 1 *p.*]

[Sept.?] 127. "A brief computation of the present charge of his Majesty's army of foot, horse, and train of artillery for 28 days," amounting to 29,623*l.* 16*s.*, also an estimate of extraordinary and contingent charges at 1,200*l.* [2 *pp.*]

[Sept.?] 128. Note by Mr. Thomas Jones of 7,425*l.* due to him from the King, being the residue of 13,125*l.* due to him for providing 10,500 tents at 25*s.* each. [$\frac{3}{4}$ *p.*]

[Sept.?] 129. Minutes of the sittings of the Commissioners for executing the office of Earl Marshal of England from 1601 Dec. 30 to 1621 Sept. 22, on which day Thomas Earl of Arundel and Surrey, Earl Marshal, made orders and did other business as the Commissioners had done before, and often sat at Arundel House or in the Painted Chamber at Westminster, and then Henry Chitting, Chester Herald, was registrar of the Office of Arms and entered all orders made by the Earl Marshal till he kept his court military, supplying the offices of Constable and Marshal, and then Mr. Gilbert Dethick was registrar in that Court and entered all Acts according to the form of the Civil Law. And after the year 1637 I find no more orders or proceedings made by the Earl Marshal. [3½ *pp.*]

[Sept.?] 130. Interrogatories to be ministered to witnesses to be produced on the part of Sir John Bankes, Attorney General, in a cause depending in the Court of Exchequer Chamber, between the Attorney General as plaintiff and James and William Hugessen and Richard Sladen, defendants, touching the title to certain lands lying between the sea and Walmer Castle, and the damage sustained by the castle through the breaches made by the sea in the bank or cliff lying between the outward part of the moat and the castle. [10 *pp.*]

Sept. 131. Brief of Mr. Buckeridge's defence in the cause, Buckeridge *contra* John Wardall and Lee, relative to the agreement for freight of goods shipped by Nicholas Buckeridge and other merchants aboard the Adventure in 1638 in her intended voyage to the coast of Barbary. [10 *pp.*]

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Sept. 132. Brief on the part of Beatrice Hughes in a suit in the Arches Court, John Cooke *contra* Hughes, relative to the pretended will of George Hughes. [10 *pp.*]

Sept. 133. Articles objected by the Commissioners for Causes Ecclesiastical against John Marston, clerk, parson of St. Mary Bredden and St. Mary Magdalen at Canterbury. That being a married man and in holy orders he had nevertheless attempted the chastity of Mrs. Elizabeth Best, widow, and committed adultery with her on several occasions. [4 *pp.*]

Sept. 134. John Marston, parson of St. Mary Magdalen's at Canterbury [to Dr. Wargrave, dean of Canterbury and one of the Commissioners for Causes Ecclesiastical]. My case is such that I cannot speak the truth but I must accuse myself, yet I had rather do so than bring a greater burden to that conscience which is so oppressed already. I am confident that she [Mrs. Best], who in God's account is blasted with an equal guilt, should we be brought together before your Worship, would confess it; and I wish for her soul's sake she might be instructed to that purpose. I beseech you be pleased to hear us privately together and I am confident that you will soon alter your opinion though not of my guilt, yet of her innocence. [1 *p.*]

Sept. 135. Bill of costs by George Tuckey, clerk, plaintiff in the prosecution of a cause by English bill exhibited in the Court of Exchequer against Sir Richard Norton, Bart., and others defendants, in the years 1638 and 1639. Total 39*l.* 16*s.* 8*d.*, taxed by the court at 26*l.* 13*s.* 4*d.* [3 *pp.*]

[Sept.] 136. List of lawyers and other officers of the Crown recommended for election as burgesses in the coming Parliament. [$\frac{2}{3}$ *p.*]

[Sept.] 137. Extracts from two letters written from Newcastle to York describing the Scots' entry into Newcastle and their subsequent proceedings there and in the Bishopric of Durham. [3$\frac{1}{2}$ *pp.*]

[Sept.?] 138. Nicholas Selwyn to Mr. Scowin at the Earl of Northumberland's house in Queen-street, Covent Garden. I desire you to inform the Lord General out of this letter how our business stands in Oxon. and Berks. On Thursday two of the deputy-lieutenants appointed a meeting at Abingdon for that division which ought to find 240 men, but they showed us not above half that number, very ill persons, poor and ragged, and no coats ready for them. The coat and conduct-money is not half gathered in. The deputy-lieutenants for the parts about Reading have promised to send their men to Abingdon so soon as they can get them together, and money for their coats but have fixed no day. I sent Captain Belloes [Bellasis] to Reading to hasten the levies who brought word that 100 were ready to come, and the rest should shortly be with us at Abingdon. In Oxfordshire things were even worse, they forced us to take 116 men there into the Kings' pay, or else they had dismissed

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1640. them, and with much ado we got their coats made. [*Seal with device.* 1 *p.*]

[Sept.] 139. Information of the seditious words spoken by Edward Neale, of Shelley, Essex, before morning prayer in the hearing of the underwritten witnesses, to the effect that the apprentices had risen in London and assaulted the Archbishop of Canterbury's house, which they would have destroyed had not one fallen on his knees to pacify them, and that they would rise in the country shortly; if they did he would show them his parson's house, and the first houses they would pull down would be theirs who took part with the bishops. He said also that there were no laws now, that the train band had been sent for in London, but he thought the soldiers would fall on those that took the bishops' part. John Speede will reveal more against Neale on examination before a magistrate. [*This evidently relates to the demonstration against Laud in May.* 1¾ *p.*]

Sept. 140. Bill of Richard Miller and Rice Williams, mercers, for goods delivered for his Majesty's service from Lady Day to Michaelmas 1640, upon command of George Kirke, Gentleman of his Majesty's Robes. Total 475*l.* 13*s.* 0*d.* [6 *pp.*]

[Sept.] 141. Political satire, entitled "Reasons why ship and conduct-money ought to be had and also money [lent] by the City of London." First, for setting up the mass and maintaining idolatry as it is begun, but not brought yet, as was intended, to perfection, praise be to God and the Scots, His instrument. That the Pope's Nuncio [the Papal agent Rossetti] takes, and has these five years taken, great pains in perverting his Majesty's simple subjects and is weekly at very great charges in sending to Rome for a cartload of the wood of the holy cross, and many old horses and dogs teeth and bones, with indulgences and pardons which he sells dear enough, but that cannot defray him and his great train, for he sends every week a packet or two of all the affairs here to Rome: he must be well rewarded out of ship and conduct-money and of what is expected to be lent by the City. The Friars of Somerset House who labour in distributing those relics and in many private masses, and for keeping bastards, must have money to keep them and pay the nurse. Sir John Winter, whose kindred were chief actors in the Gunpowder treason, and his Grace of Canterbury, now her Majesty's bishop, are great instruments. Sir Toby Mathew blows the coals of dissension with Sir Kenelm Digby and Mr. Endymion Porter, all birds of a feather, therefore we must go against the Scots for being not idolatrous and because they will have no mass amongst them; yet conduct and ship-money must be had to reduce them to some obedience. Wherever the Queen-mother has been there could be no peace, yet ship and conduct-money must be had to keep her and her chog rags, who are now well clothed and must have new suits if the City lends money. It was not before permitted to talk of a Parliament to redress these abuses nor to hear the Scotch grievances, but

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ship and conduct-money with that of the City, which is the sinew wherewith we must go to war against them. And the Papists meantime make a laughing stock of us; indeed the captains and lieutenants must be all Papists, for none will go but them, and therefore they have command of all the forces. Sir John Winter, by his letter of August 3 last to the Pope, desires his Holiness to make haste, for indulgences and pardons, for that God was somewhat favourable to the Catholic religion, which did daily increase in this kingdom, and without doubt with help of his Holiness by prayers would be planted here to maturity within two years. All her Majesty's servants, who suck the marrow of our estate, buy whole streets of houses in Paris and lordships in that country; and when they first came hither they were but poor beggars and now they keep coaches. What houses have they built in Covent Garden and Lincoln's Inn Fields? And the City must lend money to build them in other men's names. To hide all, the Papist will have the Parliament held at York, thereby to undo this poor City. [*Addressed:* "To all true Christians," *and endorsed by Sec. Windebank:* "Libel." 1⅔*pp. Annexed:* "Another political lampoon, addressed "To all true and religious Englishmen," *and endorsed* "Libel 2." ½ *p.*]

[Sept.] 142. Notes by Sec. Vane, apparently minutes for a despatch. We hear that the parley is ended. That the King has commanded that no assessments be paid to the rebels. That the Scots plunder Darlington. That the King's army advances towards Durham and with courage. That our Lords are now incensed and scorn the Scots, and their very unreasonable demands which were [1.] 800,000*l.* in money and until payment were made them [to hold] for caution Yorkshire and the Bishopric of Durham, Cumberland, Westmoreland, and Northumberland. 2. Not to depart until the Parliament had determined all grievances in England. 3. Free passage from Newcastle to Scotland and to their army, for this their reason was the Garrison of Berwick had met and taken much of the plunder they sent from Newcastle. Several insolencies, the like never heard of, by them committed since they came to Newcastle, charged by our Lords upon the Covenanters to their faces. But little against them as yet will be believed here. [1 *p.*]

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Oct. 1. 1. [Sec. Windebank] to Viscount Purbeck's servant. His Majesty understanding that Viscount Purbeck is of late more subject to distemper than formerly has commanded me to signify his pleasure to you that you take special care to keep from him all things that may increase his distemper, not suffering him to fall into excess of wine, tobacco, or any other thing that may be hurtful to him. His Majesty will expect your exact performance of this command, according to the princely care he takes of the Viscount. [*Draft.* ½ *p.*]

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Oct. 1. Whitehall. 2. Notes by Sec. Windebank of the proceedings of the Council this day, those present were Archbishop Laud, Lord Treasurer Juxon, the Earl Marshal, the Lord Chamberlain, Lords Cottington, Goring, and Newburgh, Sec. Windebank, and Sir Thos. Roe. Lord Privy Seal's report; what answer to make to the Scots and what way to treat with them; how to maintain the army till a Parliament. Parliament 3rd November at Westminster; happy if they would. Freedom, every man to speak his heart; he would leave the counsels to themselves. They made it a suit that he [the King] would not be absent. The King said it might be a restraint; they said no, it could not be so well as in his presence; a conference with the Scots; till the Scots dissolve the King's army is not to dissolve. The persons nominated by the Lords [are] 16. Tuesday, the 29th, the day appointed for the conference at first, but afterwards altered to Thursday at the Scots' suit. The Lords would not have the army disbanded. The city of London they thought able to find the money, 200,000*l.* They doubted the City would make difficulty by reason of the anticipations. They [the Lords] offered for supplement that they would be all bound for the repayment of the money, the King giving the best security he could; who offered he would sell himself to his shirt for their indemnity; a letter thereupon from the Lords and another from the King. My Lord Mayor to be sent to, to be ready to-morrow. [*Margin:* "Lord Cottington."] First to know whether they will do it or no before the security be tendered; whether the Lords Commissioners shall not meet at the Common Council, none to come to the Common Council but such as ought; the Lord Mayor to be spoken to, to be careful herein. [*Endorsed:* "Lord Privy Seal's report." 1 *p.*]

Oct. 1–7. 3. Journal of the treaty at Ripon, from the 1st to the 7th of this month sent by Sir John Borough to Sec. Windebank in his letter of the 9th Oct. [*See this vol., No.* 64.] The entries for this day are: list of the English Lords appointed by the Great Council of the Peers at York to treat with the Commissioners of Scotland at Ripon on Thursday, 1 Oct. 1640, and their six assistants and of the Scottish Commissioners. [*Printed in Rushworth iii., pp.* 1276, 1282. ¾ *p.*]

Oct 1. Another copy. [*See vol. cccclxvi., No.* 42, *p.* 58. ¾ *p.*]

Oct. 1. York. 4. Sec. Vane to Sec. Windebank. I am heartily sorry to hear the [Lord] Admiral, [Algernon Earl of Northumberland], mends so slowly and that his weakness continues. The [Lord] Lieutenant [of Ireland] here grows strong, which is well, for his Majesty's affairs require whole and sound men. I forgot to tell you the Danish ambassadors on Sunday last took leave of his Majesty. Their errand was to interpose betwixt his Majesty and his subjects, which he excused. Of Sir Thos. Roe's Treaty "point des nouvelles;" his Majesty [spoke] to them of it himself, and by his order so did I; whereupon they told me plainly they had no orders so much as to speak of it. I am this day going with the Lords to Ripon. I assure myself you and my Lords [of the Council] have discharged the Buckinghamshire men and the rest that were committed for coat and conduct-money, and

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such others as, according to his Majesty's order, I signified to you who stood committed by the Lords; that [when] his Majesty comes to the Parliament all unnecessary disputes may be avoided, and time husbanded. [*Endorsed:* "Received 3 [Oct.] at eight in the morning, and answered the 3rd" 1¾ *p.*]

Oct. 1. York. 5. Ulick Earl of St. Alban's and Clanricard to the same. The King being gone to Hull and the Lords Commissioners to Ripon to treat with the Scots it is now a very dull time with us here; all depends on your power above to prevail on the City to furnish us speedily with money. Our army is much impaired by sickness, and the enemy's works at Newcastle grow daily stronger; if we prevail not by treaties our winter forces will hardly prove successful. Wilmot, Digby and O'Neale arrived here last night, and the prisoners we have taken are to be dismissed. [1 *p.*]

Oct. 1. York. 6. Thomas Earl of Strafford to Edward Viscount Conway. I understand from Sir Thos. Lucas and Sir John Merrick that you have sent for 300 of their musketeers, by which they conceive themselves to be too much weakened; wherefore I think you will do well to return 150 of them, and send for so many from Sir Thos. Culpepper's regiment. [*Damaged by damp.* ¾ *p.*]

Oct. 1. 7. Modern copy of the same. [½ *p.*]

Oct. 1. Westminster. 8. John Glynne, Steward of Westminster, to Nicholas. I received a letter from you giving me notice that the Council have been informed that I committed a soldier of the Tower Garrison to the Gatehouse notwithstanding his ticket produced testifying the same, and you likewise signified their pleasure that I should release him. The party I believe intended is one Thornhill; he was committed by the Bench at their quarter sessions for the liberty of Westminster, and therefore I in particular was no more concerned therein than the rest of the justices of the peace there present. The cause of his commitment was that he had gotten a woman with child, and was bound to appear at the sessions as the reputed father and give security to discharge the parish of the charge of that bastard, as directed by Act of Parliament, nothing being referred to the will of a justice of peace; for want of security to save the parish harmless he was committed by the court, who in discharge of their oath and office could do no less. Yet I have signified the Lords' pleasure to the Keeper of the Gate-house, and if the soldier be discharged I hope the Lords will be pleased that he may be forthcoming for the indemnity of the parish. [*Endorsed by Nicholas:* "Mr Glynne, Steward of Westminster, concerning a soldier of the Tower." *Seal with arms and crest, broken.* 1 *p.*]

Oct. 1. 9. Certificate by the Master Gunner [of England], James Wemys, of the number, nature, and weight of those pieces of ordnance which lie upon the White Tower, London, together with those that are defective in and about the Tower, also of the defective ordnance in the Ordnance House and upon the wharf. [*Endorsed:* "The original

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[was] delivered to Lord Cottington together with the draft of his Majesty's letter to be signed for command of the said service, which his Lordship sent away the 3rd of October 1640." [*Copy.* 1 *p.*]

[Oct 1?] 10. Information for Francis Lord Cottington, [Constable] of the Tower, against John Sawyer and the turnkey of the Compter, Southwark. John Sawyer is the high constable who, after the watch and porter of the Bridge-gate had let two soldiers of the Tower pass through the gate, although no constable of that division, took upon himself to examine and abuse them and put them in the Compter, Southwark; next morning without warrant from any justice of the peace he caused them to be brought before him at his lodging and to submit to him for the abuse done overnight, he being extremely drunk, as will be made appear by good witnesses; he then made them pay 17*s.* fee to the turnkey for their imprisonment, besides the loss of a cloak and hat they suffered by his means. The turnkey of the prison after he received a warrant from [Sir William Balfour], Lieutenant of the Tower, to send them back to do their service, and to send certificate of the cause of their commitment, that they might receive punishment if they should be found guilty of any fault, very slightingly rejected it, saying the High Constable had there more power than the Lieutenant, and used many vilifying speeches against the Lieutenant and his warrant. Another soldier of the Tower, according to a recognizance he had entered into, appeared before Mr. Howard, Mr. Glynne, and other justices of the peace, at Westminster, being accused to have begot a woman with child unlawfully, which as yet there is no appearance of, but is conceived to be put upon [him] by the malice of a constable, yet the two justices slighted the Lieutenant's warrant, which he showed them, and committed him, whereby he is detained from his watch. [1 *p.*]

Oct. 1. Beaconsfield. 11. Nathaniel Tomkyns, prebendary of Worcester, to [Sir John Lambe]. I received to-day a letter from Sir John Wintour wherein he says it is her Majesty's pleasure such letters be written, as were last Parliament, to the several Burgess-towns within her jointure for electing of such persons as she shall nominate to serve for them in the approaching Parliament, which is to begin the 3rd of November next; and commands me to that end to repair presently to Hampton Court, whither I shall have the opportunity of a coach to-morrow morning, and shall be there about dinner time, being 16 or 17 miles from hence. I shall propose to Mr. Secretary the city of Carlisle for you, which I hold the most likely to speed; not doubting but you will sound those of Higham Ferrers, being now in the country so near them. I hear the writs are not yet ready, and I conceive by Sir Henry Spiller's means our letters will be carried by the same messengers who carry the writs, as they were last time. *Etiam post malam messem serendum* [even after a bad harvest one must sow], and peradventure some of the borough towns may be wiser now than they were then. From Hampton Court I shall go immediately to London, where I shall be glad to receive any commands from

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you. [*Endorsed in Lambe's hand:* "Mr. Tompkins, 1 Oct. 1640." 1 *p.*]

Oct. $\frac{1}{11}$. The Hague. 12. Elizabeth Queen of Bohemia to Sir Thomas Rowe. I hope you will approve my son's return out of France, for he did not make too much haste, as you counselled in your letter, but to have stayed longer could do him no good, for without my brother's [the King of England] assistance they will do nothing for him, and you know the impossibility of that now; so his staying there would have made him but too much despised; besides none knows what figarie [vagary?] might take that Cardinal [Richelieu] upon a small suspicion to clap him up again. What resolution he will now take in his affairs you will hear from himself. The distractions of my own country trouble me so much I know not what to write; by your own you may guess my sadness. All true honest hearts here wish the King would call a Parliament, and there let them find out who have done ill or well. For my countrymen of Scotland I cannot judge of their intentions; they may be good, but I cannot approve the way they take to mend all as they pretend. There is an old French proverb "l'appétit vient en mangeant." I pray God they do not so. It was a great misfortune the blowing up of Dunglass; I would all those who were the cause of these ill businesses had been there, so you see I curse I know not whom, but I pray God send my dear brother speedily out of these troubles to his honour and good. I am sorry you will not be at the Assembly at York, for I am sure of you, and my brother will have need of such counsellors about him. For little Queen Mab and her Sir Dagonet I leave all that in your hands to do in it as you think best. [2 *seals with arms and crown.* 2 *pp.*]

Oct. 1. 13. Certificate by Officers of the Ordnance what powder was remaining in his Majesty's stores September 1, 1640; what has since been issued to Portsmouth for his Majesty's service, and what sold to this date; total remaining in the Tower, 104 lasts 7 cwt. 17 lbs., and at Portsmouth 67 lasts 18 cwt. 54 lbs. [2 *pp.*]

Oct. 2–9. Negociations between the English and Scotch Commissioners preparatory to the treaty of Ripon. [*Printed in Rushworth iii., pp.* 1287–9. *See vol. cccclxvi., No.* 42, *pp.* 61–64. *Copies.* 3 *pp.*]

Oct. 2. Ripon. 14. The exceptions of the Scotch Commissioners to the assistants of the English Lords Commissioners, and especially to the Earl of Traquair. [*Sent by Sec. Vane to Sec. Windebank and endorsed by the latter:* "Received from Mr. Treasurer 5 Oct. at 10 at night. 1½ *pp. Printed in Rushworth iii., p.* 1286. ½ *p.*]

Oct. 2. Two copies of the same. [*See vol. cccclxvi., No.* 42, *p.* 59., ⅔ *p, and this vol., No.* 3.]

Oct. 2. Ripon. 15. Heads drawn up by the Scotch Commissioners as preliminary conditions to a treaty. [*Printed in Rushworth iii., p.* 1287. *Copy.* 1 *p.*]

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Oct. 2. 16. Copy of the same.

Oct. 2. Two copies of the same. [*See vol. ccccLxvi., No.* 42, *p.* 60, *and this vol., No.* 3.]

Oct. 2. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to Mr. Treasurer [Vane]; a letter sent from Lynn Regis to the Board complaining of the Estates of Scotland seizing his Majesty's customs. Instructions for Mr. E. Walker, paymaster of Carlisle. Privy Seal for pepper. The Danish ambassador. An agent to be sent to Ratisbon. Account of the Lord Privy Seal's report. [*See Aug.* 20, *vol. ccccLxiv., No.* 45. 5 *lines.*]

Oct. 2. 17. Account by Sir Henry Vane, junior, one of the treasurers of the navy, of the ship-money charged on each county by the writs issued in November 1639, the amount paid in to the Treasurers of the Navy is 39,390*l.* 6*s.* 2*d.*, and the arrears remaining to be paid in amount to 171,009*l.* 13*s.* 10*d.* [1 *sheet.*]

Oct. 2. 18. Account of ship-money for 1639 levied and remaining in the hands of the sheriffs, total 11,976*l.*, making with the 39,390*l.* paid in to the Treasurers of the Navy 51,366*l.* No arrears of former years were paid in this week. [1 *p.*]

Oct. 2. York. 19. William Gibbs to John Pittman. Has written to Mrs. Younge and Mrs. Clarke, but had no answer; prays Pittman to inquire if the letters reached them, and if not to go to the letter office in Crutched friars and inquire for them, and if he finds them to deliver them. Should there be any answers requests him to enclose them to him in one of his own, and send it to York by the post. The Lords of England are now upon a treaty of peace with the Scots at Ripon; this day they met, and next week I shall be able to give you an account of their proceedings. Our prisoners are all released. P.S.—Send me word if it be possible this next return what is become of the letters. Direct your letter to Sergeant-Major Gibbs at York. [*Seal with device.* 1 *p.*]

Oct. 2. 20. Lease by Richard Montagu, Bishop of Norwich, to Richard Grosvenor, gentleman, of Norwich, his servant, of the manors of Blackborough, Wormegay, and Grand Courts, with their appurtenances, in co. Norfolk, for the term of 21 years, at the yearly rent of 43*l.* 5*s.* 1*d.* [2 *sheets.*]

Oct. 3. 21. The King to Mountjoy Earl of Newport, Master of the Ordnance or in his absence to Francis Lord Cottington, Constable of the Tower. Warrant for the recasting of the defective and unserviceable pieces upon the White Tower, and in the Ordnance-house enumerated in the warrant. [*Endorsed*: "As delivered to Lord Cottington with the Master Gunner's certificate which his Lordship sent this day to the King at York [*see No.* 9], being the 3rd of October 1640." *Draft.* 1 *p.*]

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1640. Oct. 3. London. 22. Henry Earl of Manchester, Philip Earl of Pembroke and Montgomery, Edward Viscount Campden, George Lord Goring, and Thomas Lord Coventry, being the Lords sent to treat with the city of London for a loan of 200,000*l.* to the King. With all diligence becoming us we have gone upon the business wherewith your Majesty and the Peers entrusted us. On Thursday, October 1st, we acquainted the Lords of your Council here with all that we had in command from you and the Peers, and received their advice, which concurred in the same way we had formerly set to go with the City. On Friday morning we desired the Lord Mayor to call a Court of Aldermen at Guildhall, whither we all went, sat with them in council, and opened to them all our business, and read our letters, which satisfied them very much, yet they reserved themselves till they saw how it would take with the Commons. Then we all went to dinner with the Lord Mayor and there appointed to have a Common Council called that afternoon, amongst which we mingled divers Commoners that were not of the Common Council, such as we knew well affected and powerful in the City. This was stuck upon as not standing with their forms, but the business, not the forms, was to govern us, and our letters were not satisfied except some Commoners of good sort, though not all the Commonalty, were called, which we overruled; and it advantaged much our affair. At 3 o'clock that afternoon we met at Guildhall, sat with them in the Court of Common Council, and according to our instructions acquainted them with the proceedings of the Assembly of Peers, and used the best rhetoric, which was plain remonstrance, of all the passages at York, not concealing the admirable grace and freeness shown by your Majesty in this Great Council to the infinite content of all the Peers, nor the true affection shown to you by the Peers. We first read the letter from the Lords, which we discerned by their countenances was well relished by them all. To back that and to take off an excuse, which with good manners they might make, how they could grant at the desire of the Lords what they had denied to your Majesty, we read your Majesty's letter, which gave them all an ample satisfaction and removed all scruples; yet fearing lest rumour might have wronged your Majesty for words that were reported to have passed from you concerning the petition of London and their messengers, which never proceeded from you, we also read the letter sent after us from Mr. Secretary Vane, how you resented such a wrong and would have the raiser of it found out and publicly punished; which pleased them well. And lest some letters of the Scots might abuse them, we showed them the Bishop of Durham's report in writing, showing how the Scottish army had used him. These things being as lively represented to them as we could, made those impressions on them that we discerned as they sat how well they were disposed to what we came about. But the sum desired appearing, the security offered by your Majesty, and supplementally by the Peers, the times of payment and repayment being to be settled upon conference. We then withdrew, that they before they rose might more freely debate upon the way of raising the sum desired, for we persuaded ourselves it would not be denied. Ac-

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cordingly that night before they rose they resolved unanimously to grant what we desired, holding it so honourable, just, and necessary for the City to do, that no man so much as murmured against it. They hold the best and speediest way of raising the money to be to go by Companies; to which end the Lord Mayor and Aldermen presently made a draft of a letter to be sent to every Company; the copy whereof we have sent to you and the Peers delivered to us by the Lord Mayor. We should wrong the general should we report of the particular forwardness of any man; yet we cannot but tell your Majesty and the Lords of the good offices done in this business by the Lord Mayor, Recorder, and all the bench of Aldermen, which may deserve a letter of thanks if so it please you. Were it to all the Commonalty it will give the more joy to them all. It may please you to acquaint the Peers with this our letter. [*Copy by Read.* 3 *pp.*]

Oct. 3. Algiers. 23. Petition of his Majesty's subjects in captivity in Algiers to the King. Here are about 3,000 of your subjects in miserable captivity undergoing most unsufferable labours, as rowing in galleys, drawing in carts, grinding in mills, with divers such unchristianlike works, most lamentable to express and most burdensome to undergo, withal suffering much hunger and many blows on their bare bodies, by which cruelty many not being able to undergo it have been forced to turn Mahometans, so that these burdensome labours will cause many good seamen and others your subjects to perish unless some course be by you taken for our release, which we of ourselves cannot procure by reason of our great losses and the extraordinary ransoms imposed on us. *Subjoined,*

23. I. *The names of the shipmasters and the number of their men who have been taken prisoners since May* 18, 1639, *Total* 957. [2 *pp.*]

Oct. 3. Notes by Sec. Windebank of business transacted by him in the King's absence. [I wrote] to his Majesty an account of my being with the Lord Privy Seal, and of the City money business; 50,000*l.* to be presently levied. To Mr. Treasurer Vane at the same time to the same purpose. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 4 *lines.*]

Oct. 3. 24. [Sir Henry Garwaie], Lord Mayor of London, to the Master, Wardens, and Assistants of the several City Companies. I and my brethren the Aldermen having yesterday assembled with the major part of the Common Council and many other citizens of the best rank and quality in the Guildhall, London, it pleased the Right Honourable the Earl of Manchester, accompanied by the Lord Chamberlain, Viscount Camden, Lord Coventry, and Lord Goring, to declare to us at large both the happy meeting and proceedings of the Peers with his Majesty at York conducing to a treaty with those of Scotland for such an accommodation as may tend to the honour of his Majesty and perfect union of both kingdoms, and also, to our great sorrow, the miserable condition of the county of Northumberland, the Bishopric of Durham, and town of Newcastle, from the

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rapines and heavy impositions of the Scots; and to communicate letters of earnest request from those Peers to this City for a supply of 200,000*l.* for the purpose in the said letters mentioned; and also his Majesty's letters of recommendation presented by the said Lords were openly read to us; the copies of which are herewith sent you. And it pleased the Lords to intimate that to facilitate the levy of the money the days of payment were assigned, viz., 50,000*l.*, the 12th of this month, 100,000*l.* on the 15th of November next, and 50,000*l.* on the 1st of December following; and that this cause, so much concerning this City and the whole kingdom, might greatly suffer through want of those moneys at the days limited, and that for the time of forbearance in repayment the usual interest should be really performed. After mature consideration, the Lords being absent, of the whole contents of those letters, and of what those Lords had acquainted us with, we, being very sensible of this weighty cause, apprehended it to be very necessary and behooveful, and so with one consent we resolved that his Majesty should be supplied for the present with 50,000*l.* of the above-mentioned sum upon the security offered, whereof we nothing doubt. And we conceive the readiest and only way of raising it to be by the Companies of this City. And therefore with the general consent of the whole assembly of us, the Lord Mayor, Aldermen, and Commons, I have thought fit by this my letter to recommend this great cause to your serious care and consideration, desiring you with all convenient speed to take effectual course that the sum of [blank] according to the usual proportion allotted on the Companies, may be raised by your Company and be ready to be paid before the 12th of this month, the furthest day assigned. [*Copy by Read.* 1½ *p.*]

Oct. $\frac{3}{13}$. Camphier. 25. Sir Patrick Drummond to Sir John Hay [clerk-registrar of Scotland]. It seems the King's ships do little good upon the coast of Scotland, for this last week the ship of Captain Hird, of Kirkcaldy, came hither with coals and goods; two days ago came the ship of John White, of Kirkcaldy, and the bark of David Murray, of Edinburgh, and the ship of John Derumple, [Dalrymple?] has come safe to Rotterdam; all of them came out of the Firth, but none of them saw any of the King's ships. We daily expect the ships of William Simpson and George Gay, of Dysart, with coals and staple wares; if they come safe, then, in my opinion, it will be more credit to his Majesty to recall his ships than suffer them to remain there to be laughed at, as they are. Before their ships got liberty to come away they all found caution to come home again, and to employ their whole stock upon ammunition, David Murray only excepted, who, I believe, will carry home minions. George Read, son of William Read, of Edinburgh, tells us the castle was surrendered, last Tuesday fortnight, for want of drink; the General, David Scrimsure [Scrimgeour], and Captain [Abraham] Shipman went to Berwick by coach, the rest of the soldiers were embarked at Leith for Berwick. He says they are all spoiled for want of drink, so that most of them can never be men again; [Lord Etrick] the General

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is extremely extenuated, but Shipman was in very good case. They all showed very much resolution, but marched with feeble bodies, tambours beating, colours flying, and were guarded to Leith by 600 men, otherwise those of the good town had torn them to pieces. Lord Balmerino, who carried himself now as King, established Stephen Boyd governor of the castle, in which they say there is only 3,000 weight of powder left; but it seems they have taken your office [clerk-registrar of Scotland] over your head, for they have meddled with all the registers, and are taking copies of them all, lest the principals [originals] should miscarry. Of those that perished at Dunglass we can only learn the names of the Earl of Haddington's two brothers Robert and Patrick, his uncle Sir Patrick, which is doubtful, Sir John Hamilton and his brother, Sir Gideon Bailie, the Laird of Gogar, James Inglis of Rottenrace, Preston Grandge is lamed in the feet, and it is thought he will hardly escape; Alexander Erskine, brother of the Earl of Marr, Adam Habburne [Hepburn], with many others, to the number of 120, as themselves confess; but they do not know how the fire came, only they suspect that English boy, servant to the Earl of Haddington. Howsoever, it has astonished them all extremely, and many tell that after the Scots' army came to Newcastle above 4,000 of them ran back to Scotland, whereupon the General was very angry with the nobility, telling them they made him believe the men were more willing to come with him than they were to desire them, but now he saw the contrary, and had he known as much before he would never have meddled with the business, and that he would be very loth to lead such soldiers to a fight. Lord Ker went back to Scotland, and got together again 1,500 of them, and carried them back, whereof they say every tenth man should be hanged, but I know they dare not hang one. They confess that those of Aberdeen, and all the north country, are more maliciously set than ever, and that they want nothing but arms and a leader to go to the field, so that if any men were sent thither it would readily turn the chase. It is written from the army that those of Newcastle begin to look down upon them; when our Pope heard this he said it was because our people used them too courteously. I see they were in great distress at home before they came into England, and if the King were well served they would be quickly in greater straits there. That business of Sec. Windebank's should be circumspectly managed, otherwise it may ruin the man it concerns if some great people should know of it, who, it may be, would be glad of any occasion to do him ill offices. All here are in garrison and quiet, wishing much good luck to the Covenanters. P.S.—Pray give the enclosed to Mr. Thos. Hamilton to be sent to the Lord Marquis [Hamilton]. I perceive by those who are come from Scotland that there they are in great fear that England will not be true to them, and that their own people are unwilling to fight now they see it is in earnest; and they say that if the King delay them any longer they will be forced to winter forwards, come what may. I see likewise they want ammunition, for there is much dealing here to send much home with their ships that are going home. I have advertised Sir

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William Boswell to have an eye to Rotterdam, but if the King's ships would wait off Tynemouth they would find them more readily than off the Firth, where they only come about night; but they must wait 20 miles off the land, for that is the course our people take. But I think this is all lost labour, for his Majesty will be deceived in this as in all other things, and I believe before this the peace is made; God grant it be good. [*Seal with arms and crest.* 3 *pp.*]

Oct. 4. York. 26. Warrant to [Edward] Walker, paymaster of the garrison at Carlisle. You are to pay all the captains, officers, and soldiers of the five companies of foot in garrison at Carlisle such entertainments as are set down in the establishment for the army last year, which pays are to commence the 1st of May and continue till 30th June last past; also to pay the officers general, and train of artillery of the garrison the pays, signed by the King, in the first establishment for that garrison for the same time; and to pay the officers and soldiers of the troop of horse their pays, as set down in the establishment, from the 29th of April till the 30th of June last; from which day all the garrison are to be paid according to the last establishment, signed by the King. [*Draft.* ½ *p.*]

Oct. 4. York. 27. Instructions for the same. You shall, out of such treasure as comes to your hand, pay the officers and soldiers of the garrison [of Carlisle], at the end of every seven days, according to the list of pays you have or shall receive, taking the acquittance for each company from their captain or superior officer; but be careful to pay no person who cannot produce a commission for their place under the hand of the Governor, or whoever else has power to place them, and only such as are present about their service. You shall make those payments according to the muster-rolls of our Muster-master, and not demand any allowance on account for greater numbers than were vouched under his hand. You shall pay the persons employed in the fortifications, and for all materials used, the sums of money specified in bills under the hands of the overseers of the Fortifications, and approved by the Governor's warrant, or his deputy. You shall make payments on all emergencies, not herein specified, according to warrant from the Lord Treasurer, Chancellor of the Exchequer, or one of the Secretaries of State. You shall from time to time, on occasion, advertise one of our Principal Secretaries of State of all proceedings in the garrison which concern us, and to that purpose you are to advise with our Governor and other officers, and give your assistance to the best of your power. On the passing of your account, which is to be every year or oftener, if the Lord Treasurer or Chancellor of the Exchequer shall appoint, you shall show the auditors all the bills extraordinary for the works, with the acquittances, and the muster-rolls by which you paid them; and you are to present these instructions to the auditors, to be by them enrolled, that in case you have punctually observed them they may pass your account, or otherwise certify the Lord Treasurer or Chancellor of the defect. [*Draft.* 1 *p.*]

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Oct. 4. Hampton Court. 28. Notes by Sec. Windebank of the proceedings of the Council this day. The Lord Privy Seal gave account in writing of the treaty of the Lords Committees with the City for money. The Lords being made acquainted with the motion of his Majesty's writing a letter of thanks to the Lord Mayor and City thought it very fit. The Lord Mayor and Court of Aldermen's letter to the Companies concerning the loan. Copies of the Lords' letters and of the King's sent to each Company. The 12th of October, 50,000*l.*; the 15th November, 100,000*l.*; the 1st December, 50,000*l.* They have granted 50,000*l.* presently. The Buckinghamshire men [to have a writ of] Habeas Corpus. [½ *p.*]

Oct. 4. Notes by Sec. Windebank of business transacted in the King's absence. [I wrote] to his Majesty by Mr. Proger an account of the City loan and of the treaty for money. The Lord Privy Seal and Commissioners' report sent and a letter from the Archbishop of Canterbury. [I wrote] to the Lord Marquis Hamilton, the Earl of St. Alban's, and Mr. Treasurer [Vane]. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 3 *lines.*]

Oct. 4. 29. Sir William Pennyman to Edward Viscount Conway. All I can collect is that yesternight a regiment of foot came into Durham and that more force was expected to-night; the certainty of all I shall be able to give you to-morrow, for I have sent an express messenger thither this afternoon. For the demands you make for foot they shall be presently obeyed, only I shall ask you to consider the necessity and condition of this place, which you may better observe by your own view than by any description of mine. [*Damaged by damp.* 1 *p.*]

Oct. 4. Yarum. 30. Sir Thomas Colepepyr to the same. I send this to you in my own excuse on sight of a letter this morning from you to Sir William Pennyman, where you wrote that I was unwilling to leave 200 musketeers at North-Allerton as I passed by. All the knowledge thereof I had till now was only in discourse with Sergeant-Major Huncks, who spoke as if you would send for 400 musketeers from Yarum and Richmond; and I, missing you at North-Allerton, had no other order or answer to my two former letters to you, both which signified that the Lord General gave me instructions to obey all further commands from you; which shall be done accordingly. If you come not to-morrow to Yarum I shall not fail to send you a copy of the Lord General's instructions to me, the 5th article of which is:—You are to take under your command and join to your assistance Sir William Pennyman's regiment. By virtue of which instructions I have hitherto guarded the bridge at Yarum and manned the Tees at the fords at Worsill, Higher Worsill, and Fardingfield Mill upwards; and towards the sea have put some firelocks in the Bishop's house at Stockton, upon notice of a troop of Scotch horse that lies at Sedgfield, 6 miles from Stockton, where yesterday a man in Stockton told me that he heard divers troops of horse and foot were drawn to Durham, and that most of their tents about Newcastle were taken up. Last night I sent a spy to Durham who pro-

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mised me to be back by 4 o'clock on Monday, at whose return I will send you all I know. [*In dorso:* "I hear also of a troop of Scotch horse that lies a mile from Sunderland, 7 miles from Durham, to seawards." *Seal with arms and crest* 1 *p.*]

Oct. 4. Faccombe. 31. Francis Read to [Robert Read]. Thanks for his letter. The news of a Parliament is most acceptably welcome in all these parts, and a strong expectation of much ensuing good has possessed every man. I pray God no factious spirit appear amongst the members of that great body that may hinder the happy issue of that meeting. My fancy to procure a place there for myself is soon cooled upon consideration, besides the difficulties I should meet with, of a greater charge in preparing myself than I am fit to bear, and of a longer absence than my occasions here would find convenient. But if I can by any good hap or endeavour get a place in my power, assure yourself you are master thereof. I beseech you to convey the enclosed to York by some opportunity. It requires no great speed, though the delivery of it somewhat concerns me. The impossibility of conveying any hence makes me trouble you with this. [1 *p.*]

Oct. 4. 32. Olive Porter to her son, George Porter. I am very sorry you continue still your disorder without having any sense of Almighty God who has preserved you from so many dangers; and if that would not move you, if you had any good nature or sense of the affliction your father and I suffer, you would not do it. Prays him to make haste home. [1 *p.*]

Oct. 4. 33. Note of the fees paid by the priests and deacons ordained on December 22, 1639, August 1640, September 20, 1640, and October 4, 1640. [1 *p.*]

Oct. 4. Answer of the Scots to the complaints or grievances given in by the bishopric county of Durham, the county of Northumberland and town of Newcastle alleged to be committed by the Scottish army. [*Copy*=6 *pp. See vol. cccclxvi., No.* 42, *pp.* 45–51.]

Oct. 5. Ripon. The King's answer to the Propositions of the Scotch Commissioners preparatory to a treaty. The Scots' reply thereupon. Request of English Lords Commissioners to the Scotch Commissioners to put in writing their proposal for maintenance of their army; and the Scots' reply to the same, before accepting which the English Lords Commissioners send five of their number to advise with the King and Peers at York. [*Printed in Rushworth iii., pp.* 1287–1289. *Written on same paper as Oct.* 1. *See this vol., No.* 3. 2 *pp.*]

Oct. [5?] 34. Thomas White to the King. The zeal I bear to your safety and preservation of your kingdoms has transported me to present to your Majesty a collection lately come to my hands of the murmurs of the times, &c., on which so much more depends as, I humbly conceive, without the least intrusion on your secret and sacred intentions, may not without great prejudice to your affairs be concealed from you. Wherefore I beseech you to believe that not without

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fear and trembling I have thus presumed to write to so great a Majesty, not out of any ambition to counsel, for I know my distance, but timely to advertise such things of consequence to which my allegiance obliges me. P.S.—I beseech your Majesty let not the meanness of the person, a poor private gentleman devoted to your service, avert your innate goodness from hearing such things as are of consequence, for from the information of mean persons have been conveyed to kings affairs of great moment. [*Endorsed by Sec. Windebank:* "Mr. White. This was brought by Mr. Mall, of his Majesty's bedchamber, and delivered to me by him about the beginning of October 1640, with one enclosed for his Majesty's perusal. ⅔ *p.*]

Oct. 5. 35. Certificate of John Boteler and John Jennings, justices of the peace for Herts., to the Council. According to your commands of September 6th we have taken an inquisition at Hertford the 19th of the same about the riots and profanation of churches in the hundreds of Caishoe and Dacorum. We selected 17 jurors, able and sufficient freeholders, out of 24 returned by the Sheriff, who, after hearing the constables, ministers of the parishes, and others, returned their verdict that the rails in the chancels of 10 churches in those hundreds were pulled down by soldiers; they declared the day and number of persons, which in no place exceeded 10, also their means of entry into the churches, by finding the door open or procuring the key, but the names and habitations of the rioters they declared they knew not, as by the inquisition already returned at the last general sessions of the peace for Herts. appears. [⅔ *of a sheet.*]

Oct. 5. 36. Sec. Windebank to Elizabeth Queen of Bohemia. I can contribute nothing to your service but wishes of joy and happiness, which I could never do more seasonably than now that your son the Prince Elector is safely returned to you. I beg your gracious acceptance of this duty, which I render you with all the cordial devotion of a heart entirely affected to the good of you and yours. You will please judge by this how I long to express my readiness to serve you in somewhat of greater moment, which honour it lies in you only to vouchsafe me. [*Endorsed by Windebank:* "5 October 1640, to the Queen of Bohemia, by Sir Richard Cave. *Draft.* ⅔ *p.*]

Oct. 5. 37. The same to Charles Louis Elector Palatine. I have forborne to make my acknowledgments to you for the honour you vouchsafed me in your letters by this bearer from Paris, partly because I was uncertain to what place to address my letters till I might be assured of your arrival in the Low Countries, and likewise for that I was willing to reserve my congratulations for your liberty till I should receive assurance that you had it entirely. Now that I am fully satisfied in both, I beseech you to accept my wishes of all joy in them, and of as much increase of other happiness as your goodness deserves and your noble heart can desire. The thanks you vouchsafe me for my affections to your affairs, my inabilities tell me I may not pretend to, but it lies in you to render me better capable of this honour by making me useful to you, and commanding me

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somewhat in my element that may be of consideration to your service. [*Endorsed:* "5 Oct. 1640, to the Prince Elector, by Sir Richard Cave." *Draft.* 1 *p.*]

Oct. 5. Cornbury. 38. Henry Earl of Danby to Nicholas. Having now here at home passed over some second fits of the maledies which assaulted my old age last summer at Chelsea, I shall be ready to obey his Majesty's command, and am preparing to go to Guernsey as soon as the Lords shall give order for some considerable and necessary things I demand; I entreat you to assist Sir Peter Osborne in all parts of that business. [*Seal with arms, coronet, and the motto "Honi soit qui mal y pense."* ½ *p.*]

Oct. 5. 39. The [Scots'] answers to the complaints of the Bishopric and county of Durham, the county of Northumberland and town of Newcastle, of grievances alleged to be committed by the Scotch army. 1. It is craved before answer be given them that the supplicants or their representatives may put their names to the grievances, that if they have calumniated the Scots' army they may have *lex talionis*. 2. Our stay at Newcastle was necessary till we sent a petition to the King which was returned with a reference to the 24th of September and a command not to come further into England. This forced us to stay at Newcastle, during which time our army could not starve 3. We sent to the justices of peace to meet us and lay down a regular way for entertaining our army; some refused and some came. Those who came from the Bishopric having made an appointment at Durham voluntarily offered to lend us 350*l.* a day. The way of raising it was unknown to us, being ignorant of their laws; but we conceive it to be a voluntary way for their ease by way of friendly borrowing upon security. Those of Northumberland likewise offered voluntarily 300*l.* per diem; and hearing the projectors of this business instead of exacting in the Bishopric 350*l.* per diem have exacted almost twice as much and those in Northumberland a great deal more than the due, whereupon many complaints came to us, we are forced to take some other course, and not suffer ourselves and the country people, especially Protestants, on whom they have laid the heaviest burdens, to be abused. 4. The offer of the town of Newcastle was also voluntary and the contract for borrowed money. Had we been such as it pleases them to call us we might justly have used rigour against them, which we have not done, seeing they kept neither word nor right to us. 5. In all our demands from town or country we meant nothing but borrowed money from Protestants, which we mind to repay upon inventory from Papists and Churchmen, and as lawful prize from those who have borne arms against us 6. None in England can say that sixpence worth has been taken from any without order, but that full redress has been made and the offender punished. Yea, many of them upon naked allegations, have got money for loss they said they had sustained by any of our army. 7. All particulars complained of by the Bishop [of Durham], both counties, parsons, deans, &c., may be summarily answered: first they rifled their own houses them-

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selves, left the doors open and fled. So that if there were any justice in the land most of them, especially the parsons, deans, and such like, might be justly accused before the Chief Justice for pillaging their own houses and accusing others for their faults. 8. If any pillaging was done by straggling soldiers, the commanders do not allow it, and will be ready to punish it on lawful proof against the offenders. 9. All robberies in the country cannot be imputed to our army, for before we came to Newburn none in England could complain of a groat's worth, and since then we came to no place but where the King's army had been before, who so wasted all that we found only empty houses and waste grounds. 10. These same country people draw together, put on blue bonnets, call themselves Scotchmen, and rob houses and on the highways; some of them are now in prison for it. 11. Our victuals being spent we demanded victual and money on security from the town of Newcastle, who refused, but showed us the King's magazine of provision and ammunition, which was a very small quantity, not more than 300*l.* worth. 12. We desired next they would cause the bakers and brewers to make us meat and drink at a reasonable rate. This they shifted, telling us the bakers and brewers were all fled. This made our soldiers for want give what they pleased to exact, a shilling for 5 lbs. weight of rye bread, and a groat for a pottle of sodden water without any substance. 13. Finding they were resolved to starve us, we told them if they would not sell us their corn we must take it. Lest they should grudge at this we desired the Mayor to send constables to ask for lots of rye, wheat, pease, and other provision, and he accordingly sent constables with some appointed by us, who either agreed with the merchants and gave them security, or where the owners were fled, made indenture in presence of the constables and townsmen of the quantity for which they were accountable. 14. When we had gotten some corn we desired their millers might grind it; this they also refused, alleging their millers were fled. 15. All these difficulties were we put into in a strange country and people, with a numerous army; if it had not been the mighty hand of God kept our soldiers together they could not but have pillaged town and country. 16. All the people of any worth, and their money and goods, were transported before we came to Newcastle; so that if they say our soldiers took anything of any quantity from them they belie themselves, seeing hardly anything was left but empty houses, except some reasonable store of corn, which we are assured the Lord Almighty provided for us and not for them. 17. Concerning the parson of Ryton, we find he rifled his own house and fled, leaving a few old books, whereof some being taken by some of our soldiers, and an old riding coat, were immediately sent back and delivered to an old woman, the only living Christian in the town. 18. The parson of Whickham also rifled his own house and left nothing but some timber work, bedding, and small beer, and in his library a number of profane comedies, unworthy papers, and scurvey pamphlets. 19. What has been done at Durham and Whitburn is not so fully known to us but we will inform ourselves and make the truth known to you. 20. What has been done in other parsons' houses is not known to any

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general officer of our army, or any who has public charge; and if any disorder be committed none here approve it, but will be ready to punish after trial. 21. We acknowledge the warrants for uplifting the churchmen's rents, especially of those who are fled and so witness themselves to be guilty of enmity to us. 22. The ships with rye were brought up the river because we being in need of victual sent for it, and made a free bargain with the owners, to whom nearly 400*l.* of the price was given; yet they still detain the victual in their own possession. [3⅓ *pp.*]

Oct. $\frac{5}{15}$. Hague. 40. Sir William Boswell to Archbishop Laud. Encloses a larger account of the plot against the King and kingdom, and the Protestant religion. [*Printed in Rushworth iii., p.* 1312. *Endorsed by Laud:* "Sir William Boswell in prosecution of the great business. If anything come hither in cipher to send it to him. Received Oct. 14, 1640." 2 *pp.*] *Enclosed,*

40. I. *Andreas ab Habernfeld to the same. Sept.* 14, 1640. [*Printed in Rushworth iii., p.* 1312. *Endorsed by Laud:* "*Andreas ab Habernfeld's letters, sent by Sir William Boswell, about the discovery of the treason. I conceive by the English Latin herein that he must needs be an Englishman with a concealed and changed name. And yet it may be this kind of Latin may relate to the Italian. Or else he lived some good time in England. The declaration of this treason I have by his Majesty's special command sent to Sir William Boswell, that he may there see what proof can be made of any particulars. Received October* 14, 1640." *Latin. Seal with arms and crest.* 2 *pp.*]

40. II. *A larger discovery of the plot against the King and State in* 21 *articles.* [*Printed in Rushworth iii., pp.* 1318–1323, *who refers to the histories of Sanderson and Lestrange. Endorsed by Laud:* "*The narration concerning the great treason which he* [*Habernfeld*] *promised to Sir William Boswell to discover against the King and State. Received Oct.* 14, 1640." 21 *pp.*]

Oct. 5. Tetbury. 41. John Sheppard, escheator of co. Gloucester, to Lord Treasurer Juxon. I have attended the Sheriff of co. Gloucester about the ship-money and urged him to speed the service. He has received divers sums and committed divers officers, and told me the money he has received should be very speedily paid to Sir William Russell. He employs none for levying the ship-money but the high constables and petty officers of the parishes and tithings, because he cannot trust the bailiffs with the money; but since I received your letter he has been very earnest in the service, both in punishing neglect of the officers and in travelling about the country himself. [*Endorsed by Nicholas:* "The escheator of Gloucester justifieth the sheriff's diligence, albeit the sheriff has done nothing to any purpose." ½ *p.*]

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Oct. 5. Bramfield. 42. Certificate of the Vicar and Churchwardens of Bramfield to Bishop Montague, of Norwich, that Sir Walter Norton and his children have every Sunday come reverently to church to Divine Service, and he himself has received the Sacrament in their presence. [1 *p.*]

Oct. 5. York. 43. Endymion Porter to his son, Captain George Porter. Directions how to use the medicine he sent him. Has sent him two pasties of venison, "overcast" one to be eaten hot, the "upright" one cold. Your mother tells me the Queen has written to the King to send you home, but I hear nothing of it yet. The City has lent the money to the King, but what the Lords will do at Ripon I know not. I hear of a cessation of arms, if it be so your sergeant-major will give you leave to see your mother and then we will do well enough. Send me by the bearer the two young hounds, and what Sir William Pennyman promised me. P.S.—Remember me to Mr. Seares. [*Seal with arms and crest.* 1 *p.*]

Oct. 6. Notes by Sec. Windebank of business transacted in the King's absence. I wrote to his Majesty an account of the election of Alderman Wright to be Lord Mayor; the Queen-mother; leather; and Sir Thos. Mathew. A letter from the Queen. [I likewise wrote to] Mr. Treasurer [Vane] at the same time. [*See Aug.* 20, *vol. ccccl*xiv., *No.* 45. 4 *lines.*]

Oct. 6. York. 44. Sec. Vane to Sec. Windebank. I received yours of the 3rd instant yesterday at Ripon, whence I presently sent the despatch to his Majesty; and to-day coming hither I received your despatch of the 4th by Mr. Progers, who also brought the letters from the Lords Committees, whereat both his Majesty and the whole Assembly [of Peers] remained very much satisfied. Their letter speaks very positively of the readiness of the City to furnish the whole sum, whereas yours implies only a hope, but I will believe rather that they will make good what the Lords Committees have expressed on their behalf; and then no doubt the Scots will let fall much of their demands, which are as yet very high and vast. This day arrived here from Ripon Lords Hertford, Bristol, Holland, Wharton, and Saville, to give account to his Majesty and the Peers of their proceedings, and they appear sensible of the exorbitance of their [the Scots'] demands, which are no less than the maintenance of their army, for which they ask 40,000*l.* a month, leaving to the Lords how and where to raise it. This afternoon they begin to treat thereof in the Assembly, to-morrow some resolution will be taken with which the Lords may return, and whereof I shall advertise you. The letter for the Lord Mayor, Aldermen, and Commons of London his Majesty will send with the first, but being full of business this evening it cannot go herewith. P.S.—The Scotch Lords will not admit the Earl of Traquair or any of the assistants to be present at the treaty. The English Commissioners, by reason of the small-pox being at Ripon, are suitors to his Majesty to recall the treaty to York from Ripon, which will be resolved to-morrow. [*Endorsed by Sec. Windebank:* "*Received* [Oct.] 8th, at night." 2 *pp.*]

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Oct. 6. Sion. 45. G. Garrard to [Edward Viscount Conway]. Gives account of the Earl of Northumberland's sufferings from the ague, who is now better. As soon as the dog-days began I left London and retired to one of my mansion houses, Hatfield, where I continually saw the handsomest lady I ever saw, the Countess of Devonshire; her mother, she, and I often talked of you. In the midst of August I was called back to London to dissolve my school [the Charterhouse], one of the boys falling sick of the plague in the house, who was presently removed to the pest-house. I said nothing but came back to Hatfield, where I continued till September 10. I then went my hospital progress into Essex and Cambridgeshire, with my officers, to keep courts and gather in rents, which are better paid than they are in the north at this time; so that I have not yet been put out of my course or felt any of the inconveniences of war. Only the dearness of sea-coal much troubles me, because we spend a great deal in the hospital. I have had this vacation divers letters from France from Mr. Domville and Williams who are with your sons, which I keep for your return. The young ladies here, your playfellows, remember their humble service to you. I have much more to say which I will reserve till our meeting in London, which I hope will be at the beginning of the Parliament. [2 *pp.*]

Oct. 6. 46. Order of the Bench of Justices of Peace for co. Chester at the General Sessions held at Middlewich, October 6, 1640. This court having long debated the many grievances and impositions by reason of the ship-money since its first taxing, and coat and conduct-money and other military affairs wherewith this county has been sore pressed, it is desired by this bench that two justices of peace in every hundred in the county will use their best diligence to find out all the same, and all other grievances wherewith the country is now grieved, and all other misdemeanours touching the same; so that they may at the next county day prepare the same by petition or otherwise to be presented to the House of Parliament for redress. [*Copy under J. Morland's hand. Endorsed by Sec. Windebank:* "Act of sessions in the county of Chester." ½ *p.*]

Oct. 6. 47. Another copy of the same. [1 *p.*]

Oct. 6. Office of the Ordnance. 48. Certificate by Edward Sherburne, clerk of the Ordnance, of the number of shovels, spades, pickaxes, and horse arms now in readiness, and of their cost, viz., 8,000 shovels and spades, 3,000 pickaxes and 150 horse arms, valued at 1,066*l.* 13*s.* 4*d.* [1 *p.*]

Oct. 7. Projected removal of the treaty with the Scots from Ripon to York. On Wednesday Oct. 7 his Majesty with advice of the Peers ordered to transfer the treaty from Ripon to this city of York, and letters to that effect were sent to the Lords Commissioners of England, and they to certify those of Scotland thereof. [*See this vol., No.* 3, *p.* 4, *Oct.* 1.]

Oct. 7. 49. Petition of James Creighton to the Council. In the time of petitioner's imprisonment in Newgate by your command, one Anne

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Armstrong, in whose house petitioner and his wife lodged, with the assistance of John Rouse and his wife locked petitioner's wife, being great with child, out of doors to the endangering of her life, and has embezzled not only petitioner's goods and necessaries but divers bills and writings of other men which the owners call upon petitioner for, he being nowise indebted to any of them that so unjustly detain his goods. He beseeches you to refer it to one of the clerks of the Council or to whom else you shall think fit. [½ *p.*] *Underwritten,*

49. I. *Reference by the Council of this petition to Edward Nicholas, who is to call before him petitioner and the parties he complains of and all necessary witnesses, and either to settle the differences, or report to the Board, who will give order for petitioner's relief as they shall find cause. Whitehall, Oct.* 7. [½ *p.*] *In dorso,*

49. II. *Appointment by Nicholas to hear this matter on Tuesday next at* 2 *o'clock p.m. in the Council Chamber, Whitehall, Oct.* 19, 1640." [5 *lines.*]

Oct. 7. Whitehall. 50. Notes by Windebank of business transacted by the Council this day. His Grace—Sir Toby Matthew's appearing, when the Lords were in London, distempering the service; persons of quality told him of it and therefore he was bound to take notice of it. They glory how Sir Toby fell into their company, how they thought he would have slunk away, how discreetly Gib. did admonish him and how wisely Sir Toby took the advertisement and lost his dinner, &c. Resolved that he should be admonished to whisper less, to gallop less in the street, to avoid——. Lord Privy Seal's account. The Commissioners went to-day to the Lord Mayor to speak with him concerning the security. The customs offered to come in being four years since, a long time to expect; nearer security, the imposts of all kinds, some in three years some in two. Collections general after two years. Profits of the Court of Wards 70,000*l.* or 80,000*l.* per annum, but these after 2 years. The [Lord] Mayor doubted that these would not be accepted, but 100,000*l.* worth of jewels to be pawned for 50,000*l.*, and the Peers to be bound, viz., Earls of Arundel, Northumberland, Dorset, and Newcastle and Lord Cottington, with the five Commissioners for the payment of the money, with the interest at the end of the year. The Queen contented to yield to anything [¾ *p.*]

Oct. 7. Notes by the same of business transacted in the King's absence. [I wrote] to his Majesty [concerning Sir] Toby Matthew. The City security and his Majesty's jewels. The Queen's offering the engaging of hers. Also to Mr. Treasurer [Vane] to the same purpose. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 3 *lines.*]

Oct 7. Rocksavage. 51. Warrant of John Earl Rivers and Sir Thos. Aston, J.P., to the chief constables of Bucklow Hundred, co. Chester. Whereas by order of the sessions held at Middlewich the 6th October, the justices

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of peace in every hundred are to inquire what sums of money have been levied within their several hundreds by occasion of the late military imposition; we require you forthwith to issue warrants to the petty constables in your division, requiring them to assemble all the inhabitants of the several townships, and upon examination to set down in writing under their hands what sums have been paid by the township in raising and setting forth soldiers or have in any way been expended by the constables or inhabitants about that service in training or provisions. Also what sums have been given to prevent men being pressed or to get off such as were pressed, or for despatches or any other gratuities whatever given or expended in relation to the military charge since its first beginning. The certificates are to be returned to you by Monday next, and you are to bring them on a file together to Aston at or before the 14th of this month, so that the great charge lying on the country may be truly manifested to the House of Parliament and relief sought. And hereof fail not as you affect the good of the country and will answer it at your perils. [*Copy.* ¾ *p.*]

Oct. 7. 52. Answer of John Bradshaw, clerk, vicar of St. Paul's, Bedford, to the accusation brought against him [in the High Commission Court], viz., that he, having received a prayer for the "King's success in his expedition against some rebels, did and does refuse to read it in church in time of Divine Service, at least, did not read nor cause it to be read in the church." 1. I answer that I do not usually on Sundays and other festivals read prayers myself, but one for me. 2. I did not hinder the reader from reading it, but notice was given him of the prayer as soon as I received it, which was only very lately. 3. I cannot say whether he has used the prayer or no, nor that he is unwilling to use it. 4. If at any time it has been omitted, prayers for his Majesty have been used, together with the collect in time of war. Neither does omission for a little time imply an absolute or peremptory refusal. Being further demanded by the court. 1. Whether he had not seen the late canons, whereby it is required that the people should reverently receive the Communion kneeling at the rail and that the minister should not carry it up and down? 2. What was the reason that on Sunday last when he administered the Communion he did not observe the said canon, but after divers persons had come up to the rail and there reverently received, he came forth from the rail, and went to divers other parties where they sat in their seats, and there administered to some of them? I answer to the first that I have not read in any of the new canons any binding injunction that the people should come up to the rails so standing as ours do, neither do I know any law or canon that binds me to deny the Sacrament to them that so come not up. To the second, I came not out till the rest ceased to come up, and I administered to none but them that kneeled. Attested copy by James Whitaker, deputy registrar of Bedford. [1 *p.*]

[Oct. 8.] Narrative of the circumstances which led to the treaty of Ripon. By the course which the Scots now hold all soldiers and men of

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judgment conclude that they do not intend to leave those places which they took, for they fortify very strongly Morpeth, Newcastle, and Tynemouth Castle, and their army, still increases, [Earl] Marshal of Scotland being on the way to Newcastle with 5,000 or 6,000 men and the Earl of Argyle preparing to follow with all the forces he can make, as by a letter, the original whereof I have seen, doth evidently appear, and they have very lately advanced 3,000 men to Durham more than were there before, and all men of judgment give the county of Northumberland and bishopric of Durham to be totally lost for the present and the inhabitants to be utterly undone, for notwithstanding the county of Cumberland, by the experience of their neighbours' misery, have unanimously made an order for the maintenance of the fifth man in that county at their own charge for the safeguard of Carlisle and the whole county, that as generally conceived, is also likely to be lost, and the Scottish Commissioners have lately delivered to the King's Commissioners a little printed book whereby they justify their former proceedings and their further intentions do more clearly appear and more fully than by anything formerly published. Progress of the negotiations for a treaty. [*Copy.* 4⅔ *pp. See vol. cccclxvi No.* 42, *pp.* 51–55].

[Oct. 8.] 53. Answer of the Scotch Commissioners to the English Commissioners, objecting to the proposal that the treaty be transferred from Ripon to York. Nothing is more heartily wished by us and those that sent us than that this treaty may begin timely and end happily, this moved us in our last proposition to inquire what your Lordships conceived to be a competency for the maintenance of our army, and now after his Majesty is acquainted therewith, we desire to know his mind, that the army being provided for in a competent manner and so much being made known to those that sent us, according to the instructions we have received from them, who make the maintenance of the army previous to the treaty, we may with all diligence show them his Majesty's pleasure concerning the change of the place and new power to be granted for concluding. And as we are warranted to give this answer so will we not conceal our own thoughts about all this matter of the maintenance of the army, transferring of the treaty to York and enlarging of our power. Arguments grouped under three heads. [*Printed in Rushworth iii., p.* 1292. *Endorsed by Sec. Windebank:* "Paper sent by the Scotch Commissioners at Ripon to his Majesty." 1¼ *p.*]

Oct. 8. Another copy of the same. [*See vol. cccclxvi., No.* 42, *p.* 56. 2⅔ *pp.*]

Oct. 8. Exeter. 54. The Deputy-Lieutenants and justices of the Peace for Devonshire to the Council. Your last letters meeting us at the general sessions gave us fit opportunity to answer them, and also your former letters with the commission of array, the latter letters pressing a march with all our forces out of the county at our own charge, the former calling for an account of our proceedings. Our proceedings cannot be more clearly related than by presenting to you the orders [*see* enclosure] issued and strictly enjoined in obedience to

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your commands, the effect whereof we presume will correspond to the loyalty of his Majesty's truest hearted subjects, for the defence of their own limits. But touching a march out of the county at our own charges we trust you will not take it ill if we humbly represent our apprehensions thereof. 1. The unprinted statute of 5 Hen. IV., on which the commission of array is grounded, is, as we conceive, long since expired. 2. Were it in force, the words *alia loca*, can only be expounded in conformity to the statutes revived 4 Hen. IV., as we apprehend. 3. Some precedents, the notes whereof have come to our hands, make it appear that some counties have received their wages from the King when they were employed in defence against the Scots, and to the same end commissions went forth to pay the soldiers of several counties so serving. 4. The state of this country, much impaired by pirates and great impositions, added to the difference of opinion that exists on this point, make this march altogether impossible without pay, which only for the trained bands will amount to 3,000*l.* weekly at least, besides the horse, and if they should be drawn away from us, the county being maritime on both sides, we shall be exposed to extreme danger in case of sudden access of pirates or any foreign enemies. But it is our hope and prayer that God, who has inspired his Majesty's princely heart to look graciously on his people once more in Parliament, will also guide that noble Assembly to so happy an agreement as may quiet all disputes about these necessary services. Meantime we will perform what is in our power. [*Seal with arms and crest broken.* 2 *pp.*] *Enclosed,*

54. i. *The above-mentioned instructions of the deputy-lieutenants for raising and arming the train bands of Devon. September* 4, 1640. [1 *p.*]

Oct. 8. Portsmouth. 55. Colonel George Goring to Sec. Windebank. Though I hear warrants have been given to the officers of the Ordnance for arms and materials to exercise our new men and to hasten the fortification, yet finding some delays in the performance I would beseech you to hasten it by your command to Sir John Heydon, that on my return I may give you an account of my diligence agreeable to his Majesty's service. [*Endorsed by Sec. Windebank:* "Received 9th". 1 *p.*]

Oct. 8. Moates Bulwark, near Dover Castle. 56. Increased Collins, deputy-lieutenant of Dover Castle, to the same. This morning I received your command concerning the Countess de la Feyra, who landed at Dover last Saturday, and I immediately acquainted her with your command for her accommodation, which was accepted as a great favour. I likewise acquainted the Mayor and Jurats of Dover with your pleasure, whereupon they also waited on her. The Marquis de Villardo came down to salute the Countess, and this afternoon returned towards London. The Countess proposes with part of her attendants to come to London and thence to Plymouth, to take ship, the remainder of her attendants with her goods take ship at Dover and are to meet her at Plymouth to take her in, and the Marquis de Villardo has promised to procure three coaches to convey her to London, so on Saturday

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or Monday next she expects to set forth. I will take special care for shipping her servants and goods, that the officers shall not give any impediment but assist with all courteous favour. [1 *p.*]

Oct. 8. Ratisbon. 57. [Count] Leslie to Sergeant-Major George Shawe. In my letter last week and this I have written to the Resident how diligent you are in his affairs. I am sorry for the good man and fear he will ruin himself, for at this Court we are not too liberal, and besides the wars consume all. Therefore it were good for the Resident to be removed from Brussels, and have some charge at Court, for he will never recover his losses by staying there, and he will hardly be employed elsewhere. Here things go well, both politic and military; our army is in Nether Saxony in Luneburg's lands, his ambassadors and Hesse's are expected here next week, only *ad audiendum.* Then they say their desire is to be reconciled to the Emperor, time will make them wiser. Meantime we have been in danger, and if things had gone according to their intention, God knows where the Emperor had been to-day. I wish England would take example from Germany, they would not rejoice so much at the rebels' victory, who have gone many years pregnant with this rebellious devil which now they have hatched; and if the English take not resolution in time to prevent the great storm that is coming upon them, they will become slaves to the rebels, and the best that shall befal them [will be to be] a conquered province. For the French assure yourself they will never make a winter war, but they teach you what you should do, for [the king of] Spain shall never recover his losses or reputation from France, except he resolve to make war in winter against France. [*Seal with arms and coronet.* 2 *pp.*]

Oct. 8. York. 58. A muster roll of the Lord Lieutenant's guard, taken at his command by Sir John Fenwick. The guard consisted of 32 men under command of Capt. Sir Robert Ferrer. [*Endorsed:* "For the Treasurer." 5 *pp.*]

Oct. 8. 59. Certificate that the Mayor and Aldermen of Norwich have chosen John Phillips to be usher of Norwich Grammar School in place of William Johnson, and they desire the Lord Bishop [of Norwich] to approve Phillips' appointment. [*Seal with the arms of the Mayoralty.* ¼ *p.*]

Oct. 9. 60. Petition of Francis Gordon to the Council. His Majesty has referred consideration of a difference between petitioner and William Morehead to Lord Treasurer Cottington, Sir Francis Windebank, and Sir Thos. Rowe, and although they have ordered Morehead to come before them two several times yet he refuses to appear, only to gain time, because petitioner is commanded to return to his former employment, and cannot well stay any longer. He therefore prays you to order a messenger to bring Morehead before the Lords appointed to determine the business, that petitioner may be no longer deluded. *Underwritten,*

60. 1. *Order of the Council requiring Morehead to attend the referees, on Wednesday afternoon next, in the Inner Star*

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Chamber; and in case he shall then make default, a warrant shall be directed to a messenger to bring him before the Board to answer his contempt. Whitehall, Oct. 9, 1640. [1 *p.*]

Oct. 9. Whitehall. 61. Notes by Sec. Windebank of business transacted at the Council this day. The petition, concerning the transportation of butter and cheese to Hull only, to be sent to the King, with the Lords' opinion that they never intended the restraint should be upon the southern [ports], so that caution be given that the rebels be not supplied by this means. That the butter and cheese of Essex, Suffolk, and Norfolk may not be wholly restrained from the City, as the petition says, &c. The Lords think it fitting it may be brought hither, the rather for that those provisions may be better provided, and sent from home than from any other place. Mr. Cunningham has taken the Oath of Allegiance. For the assurance they expect the peerage bonds. Mr. Recorder to frame the bond. The City have assured the Queen they never desired the jewels, they disavow it, and will none of them. The Earl Marshal and Earl of Dorset will none of them. Lord Cottington's motion of 10,000*l.* presently. [*Margin:* "The Countess de la Feyra." $\frac{3}{4}$ *p.*]

Oct. 9. Notes by the same of his proceedings in the King's absence. I wrote to his Majesty an account of the security demanded for the loan. The City freed from the demand of pawning the jewels. Mr. Cunningham has taken the Oath [of Allegiance]. The Lord Chamberlain threatening Sec: Windebank. Sec. Windebank likely to miss Oxford. Then [I wrote] to Mr. Treasurer [Vane] concerning the petition of the City for taking off the restraint for bringing butter, cheese, and corn from Essex, Suffolk, &c. Also to the Duke of Lennox and the Lord Marquis Hamilton. [*Written on the same paper as Aug.* 20. *See vol. ccclxiv., No.* 45. $\frac{1}{4}$ *p.*]

Oct. 9. York. 62. Sec. Vane to Sec. Windebank. This is to acknowledge the receipt of yours of the 1st, 2nd, 3rd, 4th, and 6th of this present, and to tell you our treaty with the Scots advances not, they persisting in their first proposition; that until they know how their army should subsist at Newcastle their powers did not warrant them to treat of any other particular; so you see where they intend to lodge their army this winter. Peace, certainly, there will be none, unless ratified by the Parliament of England, as well as that of Scotland; a cessation of arms may be, peradventure, obtained, so England maintain their army till the peace be confirmed in Parliament. Of the difficulties we are like to meet with in maintaining a war your last has given me full satisfaction. To-day the Earl of Bedford and Lord Mandeville, deputed from the rest of the English Lords Commissioners at Ripon, brought his Majesty a paper, presented to them by the Scotch Commissioners; they delivered it to his Majesty, there being present only [the Earls of] Hertford and Bristol. I shall say nothing more of the paper, because you shall receive it enclosed. After his Majesty had spoken with these Lords he assembled the Peers, where the paper was read, the Lord

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Lieutenant [of Ireland] present. The Scots now make difficulty of coming to York for the causes alleged in the paper; but the two Lords have order to return to Ripon, not doubting but they will so dispose of the business that they may, peradventure, induce the Scotch Commissioners to come to York. However, all but four of the English Commissioners, that are to stay there with them in case the Scots should formalise thereupon, are commanded by his Majesty to repair hither. I enclose a bill, signed by the King, which his Grace of Canterbury sent to his Majesty; I pray deliver it to him. P.S.—His Majesty formerly commanded me to write to Lord Treasurer [Juxon] and Lord Cottington to take care above all things that money should be provided to pay off the mariners as the ships come in; he commanded me now to signify his pleasure to you to call upon the Lords for the same, that when he returns he may not receive affront if the mariners be not paid. [*Endorsed:* "Received the 11th, at 10 at night." 3 *pp.*] *Encloses,*

62. I. *Answer of the Scotch Commissioners objecting to the transfer of the negotiations from Ripon to York. Already Calendared. See Oct.* 8, *No.* 53. [*Copy.* 1 *p.*]

Oct. 9. York. 63. Ulick Earl of St. Alban's and Clanricard to the same. The success you have had in your treaty at London was joyfully received here as a probable inducement of much happiness both to King and kingdom; but I do not find it will be of power to remove the Scotch forces from their stronghold of Newcastle, since my Lord Lieutenant has, in public, declared it an impossibility to regain that place this winter, and did likewise give up Cumberland and Westmorland for lost if they attempt it; the most of his undertaking being a hope to preserve Yorkshire. The Scotch treaty is to be removed from Ripon hither. I cannot conceive what effects it can produce more than the drawing up of some particulars by way of preparation for the Parliament. Their present demand is 40,000*l.*, a month, for maintenance of their army, and so to free the country from contribution till they are secured to have redress of their grievances. The strangest news I can give you is that my Lord Lieutenant did invite me to dinner last Wednesday, but I was so modest as to refuse that honour, and to forbear to trouble his Lordship till I find more reality and better grounds to profess myself his servant by any attendance upon him; and when the Parliament sits the day will come that shall pay for all. [1 *p.*]

Oct. 9. York. 64. Sir John Borough to the same. On our return from the treaty of Ripon, last Tuesday, I have drawn in a summary way the effect of what was there agitated, and copied out the papers then exhibited on both sides, which I send you enclosed, together with a paper sent this day from the Scotch Commissioners there; whereby it may in a great measure appear how they stand affected. I have not time to write at large, being hourly pressed with copying out several Acts, here made by the Lords, for ordering the progress of the treaty, and therefore crave to be excused for writing thus

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abruptly. [*Endorsed by Windebank:* "Received the 11th, at 10 at night." 1 *p.*] *Enclosed,*

Notes of the progress of the treaty with the Scots from 1–7 *Oct. Endorsed by Sec. Windebank:* "*Journal of the treaty at Ripon.*" *Already Calendared. See this vol., No.* 3.

Answer of the Scotch Commissioners objecting to the transfer of the negotiations from Ripon to York. Already Calendared. See Oct. 8, *No.* 53. [1½ *p.*]

Oct. 9. Berwick. 65. Sir John Conyers to the same. Notwithstanding the treaty, the Scots make themselves as strong as they possibly can, and daily make new levies. The Earl of Argyle has lately sent out letters through the whole kingdom to persuade all the gentry to march with him as volunteers, to assist their friends to make a peace by treaty or by arms, and their rendezvous was to be at Leith yesterday. They still threaten us and Holy Island, though, in my opinion, it is a very ill time to begin a siege. One, Captain Muschamp, is come with a commission to raise certain dragooners for the King's service, but they must both mount and feed themselves upon their own purses, so I fear he will do no great good. I have taken in two of the trained bands of this county, but the country refuses to pay them for a month, yet they maintain Leslie's whole army, and we have too little for ourselves here. I beseech you assist us with the Lord Treasurer when you see him, for our little store will soon be spent, and we were lately in great necessity; those that come from Edinburgh stay here with us, and our works are very chargeable, and neither town nor country will trust us for a penny, and scarce will let us have corn for our money. The postmaster here beseeches you to be mindful of him, for he cannot live on the means he has; I pray you help him if you can. [*Endorsed:* "Received the 18th." 1 *p.*]

Oct. 9. York. 66. Thomas Earl of Strafford to Edward Viscount Conway, at Northallerton. I have ordered the officers of the train of artillery to send you 20 barrels of powder and shot for furnishing the horse troops, which I hope you have or shall shortly receive. And that the King may be paid for it, as I acquainted you before you went hence. I am now to desire you to take care that a list be sent me how it is distributed, that upon the next pay to be made to the commanders defalcation may be made for the same. [*Seal with crest and coronet.* 1 *p.*]

Oct. 9. 67. Modern copy of the same. [½ *p.*]

Oct. 9. York. 68. Sec. Vane to the same. By warrant under his Majesty's own hand and signet which the bearer is required to show you, you will understand that his Majesty is pleased to grant freedom of passage both of packets and persons riding in post therewith, or otherwise sent to and fro between the Scotch Commissioners here and those at Newcastle or Edinburgh during the present conference for an accommodation. This is granted by his Majesty's express com-

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mand, and therefore you are to give present order to all officers and soldiers of his Majesty's army, both horse and foot, employed under you to take notice of this his Majesty's pleasure, and to conform themselves thereunto. The enclosed is a copy of the Scotch Commissioners' letter to their General for like freedom to be given to such as his Majesty shall employ or send northward, which I send that you may the more fully understand what order is settled herein, and that all parties may conform to the same. P.S.—Sir William Witherington has now undertaken the delivery hereof, and I am glad it will come to you by so good a hand. [1 *p.*]

Oct. 9. Berwick. 69. Sir John Conyers to the same. The Scots, notwithstanding the treaty, raise all the forces they can in Scotland, and the Earl of Argyle is still drawing all the volunteers of the kingdom together, We hear the King has disbanded all the trained bands. I have called those of Capts. Muschampe and Swinhoe in hither, have armed them and written into the county for a month's pay for them, which they have absolutely refused me. Another, Muschampe, was sent hither with orders to raise certain dragooners. I have given him all the assistance I can, but hear not of his getting any men together, for they must pay and feed themselves. I received lately a froward letter from Mr. Treasurer [Vane], He blamed me for neglecting many things, whereof the most part were done by me, as he intended them, before his letter came to me. He thinks with 240 horse which I have here and the rest of this garrison I ought to secure this place and Holy Island and beat the Scots out of Northumberland! I perceive, because I demanded money with some importunity when we had not one groat, and other provisions that were needful, he seeks to pick a quarrel with me. I beseech you inform me what opinion other men have of me. I am sure I am in an ill case if the Scots should attempt anything upon me. I fain would have the honor to be with you, but dare not write for leave except there were a peace or a cessation of arms. I thank you for the pains you take to get my money; if you obtain it, send it hither or to Mr. Shalmer to London. I can find means to get it from him, or employ it for my use there. I hope all at Hill Hall are well; so is not my poor wife, she is troubled with a fever and a great deal of discontent. P.S.—We have been very merry here since the Earl of Cleveland came hither. [1 *p.*]

Oct. 9. Commissioners for Gunpowder to Montjoy Earl of Newport. To issue to William Felgate of London, chandler, 30 barrels of gunpowder for his shop. [*Minute.* ¼ *p. See vol. cccl.v., No.* 61, *p.* 13.]

Oct. 9. 70. Account by Sir Henry Vane junr., treasurer of the navy, of ship money received by virtue of writs of 1639. Total paid 39,780*l.* 6*s.* 2*d.*, leaving 170,619*l.* 13*s.* 10*d.* remaining to be collected. [1 *p.*]

Oct. 9. 71. Account of ship-money levied and remaining in the hands of the sheriffs. Total 11,676*l.*, making with 39,780*l.* paid to the Treasurers of the Navy 51,456*l.*; no arrears for former years were paid in this week. [1 *p.*]

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Oct. 9. 72. Accounts of [the Lord Treasurer] for the weeks ending Aug. 28, Sept. 4, 18, 28, and Oct. 9, 1640, specifying the sums received from various sources, including the loan and sale of pepper, and the amounts paid out and to whom. [2 *pp.*]

Oct. 9. Exeter. 73. The Deputy-Lieutenants to the Constables of the several Hundreds of co. Devon. It is ordered that the beacons in every hundred, whether on the coast or inland, be forthwith repaired and well watched by two sufficient persons by day and three by night, armed as accustomed, but no beacon is to be fired but by consent of the next [nearest] constable of the hundred. That you warn the chief officers of the magazines in your hundred for the keeping of powder, match, and lead for the forces of this county. That they forthwith fully replenish their proportions of munition, and you are likewise to give them to understand that his Majesty's store at the Tower of London is now open, where they may be furnished with powder at 12*d.* the pound. That you likewise be careful according to our former order to cause your petty constables to have ready 7 lbs. of powder for every soldier, which they may have from the magazines with match and bullets proportionable. That you cause all the pioneers in your hundred to be in readiness with double tools for every man, vizt., a shovel and a mattock or pickaxe for every man. That the hundred constables that have failed to bring in their accounts for the charge of the lately pressed 2,000 soldiers do bring them to Mr. Nicholas Vaghan at Exeter with all money remaining in their hands by Oct. 22nd. [*Signed but not addressed.* 1 *p.*]

Oct. 10. Ripon. 74. The English Lords Commissioners appointed to treat with the Scotch Commissioners to the Council of Peers at York. On receipt of your letter we had a meeting with the Scottish Commissioners to make known to them his Majesty's answer concerning the maintenance of their army, and to give them a right sense of his Majesty's ends in proposing to remove this treaty to York. Their answer we send enclosed. [*See No.* 53.] First for the long delays they conceive they have had concerning his Majesty's answer to their preparative proposition for the maintenance of their army you may perceive they something complain, though yet they are pleased that his Majesty hath taken it so far into his consideration, as they shall now hope to receive his answer. You shall in our opinion do very well to hasten whatever resolution his Majesty shall please to take ; for certainly in our opinion it will be impossible for us to continue this treaty if there be longer delays, at which the Scots are already much distasted. Concerning their removal to York you will see they have no power to go thither, but an injunction to the contrary, so we could urge it no farther and are at a stand what to do ; for now they [the Scots] having sent to Newcastle, according to his Majesty's desire to procure full power to conclude as well as treat, have received it. And whereas they were assured they should meet with the same [facility] at York, which place is not now agreed to, and we at Ripon having no such power, we do not know when it shall come in question, what answer to make them. Therefore we

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desire speedy instructions from his Majesty, otherwise we shall not know how to proceed further. P.S. The Scotch Commissioners have desired us to certify you that the Laird of Lochtour, that is prisoner at Berwick, is not yet released. [*Endorsed:* "Lords Commissioners at Ripon concerning the Scots' answer for removing the treaty to York. Received from Mr. Treasurer Vane 13th Oct." *Copy.* 1 *p.*]

Oct. 10. Ripon. 75. The same to the Scottish Commissioners. His Majesty has taken into consideration the proposition concerning the maintenance of your army at Newcastle during this treaty; and for that end has required us, his Commissioners at Ripon, to repair to York to give him advice concerning the same, which he does for expediting of an answer, and with no intention to decline or delay the treaty, for which cause he desires that the Commissioners of both parts might repair to York, there to receive a speedy determination and answer after debate. And further [he desires us] to signify to you that whereas you did intimate to him some apprehensions by reason of the person who commands his army, his Majesty assures you that whilst he is there in person none commands the army, or shall be answerable for your safety but himself, who has already under his hand and seal assured the same to you and of which you may be confident. Further he has commanded us to show you his great desire of keeping this treaty on foot, so that if you shall mislike the removal to York we are commanded not to remove till we receive further order from him. [*Endorsed by Windebank:* "Received from Mr. Treasurer Vane Oct. 13th." ¾ *p.*]

Oct. 10. York. 76. John Marquis of Winchester to Sec. Windebank. It doth not agree with the respect I bear you to direct others' letters to you without some presentment of my service to yourself. I need not acquaint you with the occurrences of this place with all their variations, well knowing you receive them from the best hands. Only because I conceive the enclosed paper delivered to his Majesty yesterday in Council by the Earl of Bedford and Lord Mandeville as from the Scots' Commissioners, may perhaps escape your hands with the first, you shall receive it here; by which you may discern a sudden stop of the expected treaty here required and lately desired by his Majesty, and so likely to keep us here longer than we desire. [*Endorsed*: "Received the 14th." 1 *p.*]

Oct 10. York. 77. Leonard Pinckney, Commissary General for victualing the army, to [Sec. Windebank]. The complying of the city of London with the King gives encouragement both to the commanders and soldiers here; their money will not be unwelcome. It is the sinews of war, and the Scots are strong and audacious, for now at the treaty at Ripon they demand of the King 40,000*l.* per month for maintenance of their army till their cause be decided by Parliament: the garrisons at Berwick and Carlisle to be withdrawn; that they may fortify Edinburgh and other fortresses in Scotland; and that Newcastle, Northumberland, Cumberland, Lancashire, and the Bishopric of Durham may become cautionary towns and provinces for the per-

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formance of these their insolent demands. We expect the return of our Lords to-day from Ripon, and some of the Scotch Commissioners with them to hold a second treaty here at York next Tuesday; but it is doubted whether the Scots will come. However, I am of opinion the concordance of the City with the King will now be a means either speedily to abate their pride by arms, or to terminate their rebellious war by their submission. God grant a good success in either and to the King's honour. P.S.—Yesterday, the 9th of this instant, the Earl of Argyle made his rendezvous at Leith, in Scotland, inciting all the gentry and others of that kingdom, both by writing and otherwise, to make use of this opportunity and to take up arms, telling them the great advantage they now have over us, and the brave estates which they may all make to themselves by gaining this kingdom of England, and much more to this effect, which letter, written by Argyle himself, is now here with the King. [1½ *p.*]
Underwritten.

77. I. *Mr. Recorder shall be Speaker of the Parliament. London news is that the Lord Lieutenant, Earl of Holland, and the Lord Marquis Hamilton are fallen out. Bercley* [*Barclay*], *a Scotchman, in trouble.* 16*th Oct.* 1640. *Annexed,*

77. II. *The Scots refuse to come to York till the Lord Lieutenant be removed, &c.* 2. *They imprisoned the Mayor and Aldermen at Newcastle till they paid Leslie* 1,400*l*, *arrears due, as he says, agreed with him for, and kept them in the dark, allowing them nothing but bread and water.* 3. *I hear that on this ill usage the county of Westmorland has agreed among themselves to arm at their own charge every third man in the county, and every three* [*two?*] *men that are able shall maintain a third in arms to defend themselves against the Scotch rebels.* 4. *A new book* [*has been*] *written by the Scots and printed here by stealth to let the people know they come to do them no hurt, only to pull down Papists and root out some great ones that would destroy our religion and them.* 5. *The King has sent a Commission to the Lords at Ripon to call in all the gentlemen adjoining to treat with them to victual the Scotch army till the Parliament* [*in London*] *has decided the business, and to assure them all the counties of England shall contribute to it and also towards all their losses heretofore by the Scots, and likewise to treat with the Scots that they shall victual Berwick and Newcastle for us, we first victualing their army. This Commission issued forth by advice of the Lords* [*Assembly of Peers*] *at York and was sent to the Lords* [*Commissioners*] *at Ripon. It is believed the latter will conclude with the Scotch Commissioners for* 30,000*l. a month to maintain their army till the Parliament here shall decide the business. The King is to be at Whitehall next Wednesday week. Sir Thomas* [*Gilbert?*] *Gerrard Bart., and Sir John Franklin were chosen knights yesterday for Middlesex, and Mr.* [*William*] *Bell, the apothecary, and Mr.*

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Glenn [*John Glyn*], *burgesses for Westminster this* 16*th of October; Lord* [*Ferdinand*] *Fairfax and Mr. Henry Bellowes* [*Bellasis*], *knights for Yorkshire. Sir William Savile and Sir Richard Hutton have lost it. The city of York chose two aldermen of York* [*Sir William Allanson and Thomas Hoyle*] *for their burgesses and absolutely refused Sir Edward Osborne, vice-president* [*of the Council in the north*] *andSir Thomas Witherington their recorder, because the Lord Lieutenant* [*re*]*commended them, and this done his Lordship* [*Earl of Strafford*] *being at York.* [2 *pp.*]

Oct. 10. 78. Note concerning the mounting of ordnance on the top of the White Tower, whereby it appears 21 pieces were to be mounted there, and on the 12th October five more pieces were mounted on the bulwark betwixt the Tower and the lions' den. [½ *p.*]

Oct. 10. 79. William Earl of Newcastle to Sir John Heydon. The powder which you last delivered for the Prince's Highness' use is already spent, so my desire now is that you will supply that defect with two barrels more of powder and one of match, which please deliver to this bearer, Captain Boncle, or any that he shall appoint. [*Underwritten:* "Received the 11th of October following, and the 13th was issued the powder and match." ⅔ *p.*]

Oct. 10. 80. Receipt by Sir William Balfour for 250*l.* received from Lord Cottington, Constable of the Tower, by the hands of Edward Manning towards the payment of the soldiers in garrison in the Tower. [¼ *p.*]

Oct. 10. 81. Receipt by Edward Manning for 50*l.* received of Thomas Fauconberg for the use of Francis Lord Cottington, constable of the Tower, which sum I hereby promise to repay on demand. [½ *p.*]

[Oct. 10.] 82. Notes concerning [Robert Read's candidature for Hastings]. To gain the Lord W[arden of the Cinque Ports ?] letters absolute for Mr. R[obert] R[ead], and the first man to be elsewhere recommended by his Lordship. At least second letters of indifference, so that the election may be free as to two, that his Lordship may be pleasured in one of those. The ports are advised that their burgesses ought to be barons or freemen before the time of the Parliament writ. All that are not are not capable of election, and so their election is invalid and such return in danger of the penalty of 100*l.* upon the Mayor; for which he and the town are already threatened to be certainly questioned in the House if they make any such [return]. 'Tis true formerly it has often passed so and never yet been questioned; but now it will be, because divers already free and worthy, without exception, and returned the last Parliament, stand again for election as of right before such others, whereof Mr. Read is one, whom the town approves, and others who intend to claim the right as aforesaid. Mr. Mayor and Jurats' letters to such effect. My Lord W[arden's] indifference for Mr. R[ead] at least intimated from his secretary to Mr. Mayor alone. The Earl of Dorset's letters recommendatory, and to such effect also to the Mayor and Jurats. [¾ *p.*]

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Oct. 11. 83. Answer of the Scottish Commissioners at Ripon to the English Lords Commissioners concerning the removal of the treaty to York. Although we have reason to regret our staying here for so many days upon no other subject but the necessary maintenance of our army, and at this the 10th day we know nothing of his Majesty's mind about that point, yet are we glad that his Majesty is pleased to declare that he has taken it at last into his royal consideration, hoping now to have his answer thereunto; and therefore desire that as we have received power to condescend upon the competence, so your Lordships may either make known his Majesty's positive will, or receive full power to bring this matter to a wished conclusion, that we may proceed to the treaty. And although we presume not to design hours or days, yet we trust, on remembrance of former delays, you will use now such diligence that we may be able to make manifest to those that sent us that our long staying here has not been to protract time, but for a real accommodation. Concerning our going to York, as we did formerly show that we had no warrant to go thither, and also gave reasons from our own private judgments against the convenience thereof; so are we now, upon signification of his Majesty's motion, instructed by the Commissioners of Parliament to show that for many reasons they think it not fitting to transfer the conference to York. [*Endorsed by Sec. Windebank:* "Received from Mr. Treasurer [Vane] 13th Oct." ⅔ *p.*]

Oct. 11. Whitehall. 84. Notes by Sec. Windebank of business transacted in Council this day. Lord Camden moved that they [the Peers] might know their security from the King. The same bonds [to the City] that the Lords here enter into the Peers there must do, and they to receive security from the King. An engagement in honour that the inferior Peers may not suffer more than the Councillors. The 22nd and 30th of October 1641 are the times the Peers are bound to repay the 50,000*l.* to the City. Lord Cott[ington] scrivener. The Queen thanked Gibbs and blamed the City. Lord Camden scrupulous. The putting off the letter until it shall be known certainly whether the City will furnish the rest. The Companies did understand but 50,000*l.*, so said the Remembrancer. The writs for the City and divers other counties. To-morrow the letter to be delivered. [⅔ *p.*]

Oct. 11. Notes by the same of his proceedings in the King's absence. I wrote to his Majesty an account of signing the bonds to the City by the Peers; [and sent] a letter from the Queen, and the Archbishop. [I wrote] to Mr. Treasurer [Vane] to the same purpose; Parliament writs. To the Lord Lieutenant of Ireland with Mr. White's Irish letter. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 5 *lines.*]

Oct. 11, York. 85. Sec. Vane to Sec. Windebank. This morning I received yours of the 9th; I shall begin with the cheesemongers' petition and give you his Majesty's pleasure thereupon. It is that he leaves to the Lords [of the Council] free power to give liberty to Essex, Suffolk, and Norfolk to bring butter and cheese to London, as also grain;

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his Majesty not doubting of their care to prevent transporting of grain beyond sea, for in these parts the great rains have made an ill harvest and corn is like to prove very dear. Besides [this country] being made the seat of the war, the people here, if they starve not, must be supplied from the south, and so enclosed you will receive the cheesemongers' petition. The treaty has been required by his Majesty, as I advertised in my last, to be brought from Ripon to York, but the Scots, who give the law, will not. They depart not from their grounds one tittle. His Majesty and the Peers met this afternoon, when it was resolved to continue the treaty at Ripon and not to break [with the Scots] upon a punctilio for the place. [The Scots] pressing much a speedy answer to their demands, his Majesty has thought fit with the advice of those Peers that assisted to send for those at Ripon, and on Tuesday to send back the Commissioners thither with such resolution as shall be taken to-morrow when the Assembly meets, which will be at 2 o'clock. I had almost forgotten to tell you the rebels have sent their Commissioners power to treat and conclude; they expect his Majesty should give the English [Commissioners] the like powers, but I do not find they will send any more Commissioners than the first. For the rest I shall refer you to the papers enclosed [*see Oct.* 10, *Nos.* 74, 75, *and Oct.* 11, *No.* 83]. When I observed to you the difference between the Privy Seal's and yours it was not I conceived you to be mistaken. God send us the first 50,000*l* at the day, the rest to follow, and that you agree upon the security, for we have many Thomases amongst us; and should the City grow cold, or the Great Council not proceed by unanimous consent, either may make great disorder in his Majesty's affairs. I well remember that when the Peers agreed to write to the City for the 200,000*l*., they resolved all of them to give any security for it but land, if I be not mistaken. Thus much I thought fit to give you notice of, since the security is not yet agreed on. Despatch it as soon as may be, and let the money come down, for besides the want of it for the soldiers many here have not a strong faith and will not believe till it be at York. [*Endorsed:* "Received [Oct.] 13th, at six in the evening." 3½ *pp.*]

Oct. 11. 86. [Robert Read] to the Mayor of Hastings. Upon the first notice here of a Parliament, a son of Mr. Crumpe having occasion to come to me on business, I took that opportunity to let him know I purposed to continue my pretences to that town [Hastings] to serve them in Parliament, as not holding it fit to make my addresses to yourself, being a public minister, till either I had procured a letter from [James Duke of Lennox], Lord Warden of the Cinque Ports, or received an answer from him. And now finding that by the absence of the Lord Warden I am prevented in my suit by some nearer his Grace, who thereby had opportunity to engage him, I have nevertheless thought it my part to offer my service to you and them again, lest it should be thought I neglect them and have too soon forgotten the honour I so lately received from them,—a sin which I have more honesty than to commit. I have understood from some friends that I have been abused by some

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malicious spirits in that town, reporting me in public to be a Papist; and though the consequence thereof be mischievous, in that it may not only be the loss of my pretences there, but a brand upon me here in a place I have been held worthy to enjoy under Mr. Secretary [Windebank] now almost nine years; yet I should have despised it, especially coming from men of so mean condition, had there not been a necessity of my clearing myself before the election. I have therefore taken the most honourable way I could think of to wipe away that aspersion by procuring the Lords [of the Council's] letters to you, which the bearer will deliver you; and I beseech you since the Lords have so freely granted me their letters, let the business be so ordered there that I may recover my reputation amongst them that are honest; and I doubt not I shall have sufficient reparation against those that have thus injured me. I have nothing to say for myself, coming now so barely to you, but to put you in mind that I am a member of your body, that although many more worthy and able persons than myself may offer you their services on this occasion, you have none more zealous for the service of the King and country, and he that brings not with him to this Assembly a heart equally devoted to both shall hardly advantage either. However the success shall be, I shall continue a faithful servant to the town and ready on all occasions to express what value I set on the courtesies I received at my last being there. P.S.—If the election be so near that these men that are sent for cannot be brought hither and return thither before it, I desire the business may be so ordered that they may stay there with the messenger till the election be past, that they may have their vote in it, otherwise they will clamour and say they are taken away purposely that they should not give their vote, which is not my intention. But if the election be not near I beseech you let the witnesses be examined as speedily as may be and the examinations sent up with the parties sent for and I will cause them to be dispatched as soon as may be and sent down again. But in any case I desire they may not lose their voices. [*Draft by Read.* 3 *pp.*] *Underwritten,*

86. I. *The names of the members of the Council who signed the letter to the Corporation of Hastings, mentioned above, recommending Read to represent them in the coming Parliament.*

Oct. 12. 87. Printed manifesto of the Scotch Covenanters justifying their invasion of England, with Archbishop Laud's manuscript notes in the margin. The pamphlet is entitled, "The Lawfulness of our Expedition into England manifested." "As from the beginning till this time we have attempted nothing presumptuously in this great work of reformation, but have proceeded upon good grounds, and have been led forward by the good hand of God, so now, from our own persuasion, are we ready to answer everyone that asks us a reason of this our present expedition, which is one of the greatest and most notable parts of this wonderful work of God. Beseeching all to lift up their minds above their own particulars, and without pre-

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judice or partiality, to lay to heart the considerations following:—1. As all men know and confess what is the great force of necessity and how it doth justify actions otherwise unwarrantable, so can it not be denied but we must either seek our peace in England at this time or lie under *three* heavy burthens which we are not able to bear. [*In margin:* "None of these necessary if they would have yielded due obedience to their King."] First, we must maintain armies on the Borders, and all places nearest to hazard, for the defence and preservation of our country, which by our laying down of arms and disbanding of our forces should be quickly over-run by hostile invasion and the incursions of our enemies. Secondly, we shall want all trade by sea, which would not only deprive the kingdom of many necessaries, but utterly undo our boroughs, merchants, mariners, and many others who live by fishing and by commodities exported and imported, and whose particular callings are utterly made void by want of commerce with other nations and sea-trade. Thirdly, the subjects through the whole kingdom shall want administration of justice; and although this time past the marvellous power and providence of God has kept the kingdom in order and quietness without ordinary judicatories sitting yet cannot this be expected for afterward, but all shall turn to confusion. Any one of the three, much more all of them put together threaten us with most certain ruin, unless we speedily use the remedy of this expedition. And this we say not from fear, but from feeling; for we have already felt to our unspeakable prejudice what it is to maintain armies, what to want traffic, what administration of justice, and if the beginning of those evils be so heavy what shall the *growth* and long continuance of them prove unto us, so miserable a being, all men would judge to be worse than no being. [*In margin:* "No growth necessary, where they might have prevented the beginning by doing but their duty."] II. If we consider the nature and quality of this expedition it is *defensive* and so the more justifiable. For proof hereof let it be remembered: 1. The King's Majesty misled by the crafty and cruel faction of our adversaries *began this year's war*, not we. [*In margin:* "If this were true, 'tis not defensive."] When articles of pacification had been the other year agreed upon, arms laid down, forts and castles rendered, an Assembly kept and concluded with the presence and consent of his Majesty's High Commissioner, the promised ratification thereof in Parliament (contrary to the *aforesaid Articles*) [*In margin:* "They break the Articles first"] was denied to us; and when we would have informed his Majesty by our Commissioners of the reasons and manner of our proceedings they got not so much as presence or audience. Thereafter his Majesty being content to hear them, before they came to Court or were heard, war was concluded against us at the Council Table of England and a Commission given to the Earl of Northumberland for that effect ["Not till they had broken"]: the Parliaments of Ireland and England were also convoked for granting subsidies for this war against us, as is notor[ious]; plots have been hatched and military preparations made against us: many *invasions* [*In margin:* "The

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King invade his own !"] by sea, which have spoiled us of our ships and goods; men, women and children killed in Edinburgh by his Majesty's forces in the castle. Our *enemies therefore are the authors and beginners of the war and we defenders only.* [*In margin :* "Upon their high disobedience."] 2. We intend not the *hurt of others,* but our own peace and preservation; neither are we to offer any injury or violence; and therefore have furnished ourselves according to our power with all necessaries not to fight at all, except we *be forced to it in our own defence,* as our Declaration beareth. [*In margin :* " Do they not give offence and do hurt by coming in ? ."] 3. We shall retire and lay down our arms as soon as we shall get a *sure peace* and shall be satisfied in our just demands. [*In margin :* " These have been both offered."] Upon which ground even some of those who would seem the greatest Royalists hold the wars of the Protestants in France against the King and the faction of the Guisians to have *been lawful defensive wars* [" They were natives and made no invasion. Yet that which they did was not lawful"], because they were ever ready to disband and quiet themselves, when they got assurance of peace and liberty of religion. Now this present expedition, being in the nature of it defensive, hence it appears that it is not contrary, but consonant, to our former protestations, informations, and remonstrances; in all which there is not one word against defensive war in this cause, but strong reasons for it, all which militate for this expedition. Our first Information sent to England this year, though it accurseth all offensive or invasive war, yet shows plainly that if we be invaded either by sea or land we *must* [*In margin :* " No *must* where doing but duty will serve, either private man or nation "] do as a man that fights himself out of prison. If a private man, when his house is blocked up, so that he can have no liberty of commerce and traffic to supply himself and his family, being also in continual hazard of his life, not knowing when he shall be assaulted by his enemies who lie in wait against him, may in this case most lawfully step forth with the forces which he can make and fight himself free; of how much more worth is the whole nation; and how shall one and the same way of defence and liberation be allowed to a private man and disallowed to a nation ? III. Thirdly, we are *called* [*In margin :* " All this is but as the blind man thinks"] to this expedition by that same Divine Providence and vocation which has guided us hitherto in this great business. We see the expediency of it, for the glory of God, for the good of the Church, for advancing the Gospel, for our own peace; after seeking of God, and begging light and direction from Heaven, our *hearts* are inclined to it. [*In margin :* " I doubt not the inclination but the direction "]. God has given us zeal and courage to prosecute it, ability and opportunity for undertaking it, *instruments fitted for it* [*In margin :* " They have often spoken of these instruments], unanimous resolution upon it, scruples removed out of minds where they were harboured, encouragements to achieve it from many passages of Divine Providence, and *namely from the proceedings of the last Parliament in England* [*In margin :* " I am

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sorry for this,"] their grievances and desires being so homogeneal and *akin to ours,* we have laboured in great long-suffering by supplications, informations, commissions, and *all other means possible* [*In margin:* "Save yielding the dutiful obedience of subjects"] to avoid this expedition. It was not premeditated nor affected by us (God knows), but our enemies have necessitated and redacted us to it and that of purpose to sow the seed of national quarrels; yet as God hitherto hath turned all their plots against themselves and to effects quite contrary to those that they intended; so are we hopeful that our going into England, so *much wished and desired by our adversaries for producing a national quarrel* [*In margin:* "No, sure; no man wished it"] shall so far disappoint them of their aims that it shall link the two nations together in straiter and stronger bonds both of *civil and Christian love than ever before.* [*In margin:* "It may be the English are such fools."] And that we may see yet further evidences *of a calling from God to this voyage* we may observe the order of the Lord's steps and proceedings in this *work of reformation.* [*In margin:* "So they come to reform this kingdom."] For beginning at the gross Popery of the *Service book* and book of *Canons,* he has followed the back trade of our defection, till he has reformed the very first and smallest novations, which entered in this Church. But so it is that this back trade leads *yet further to the Prelacy in England,* the fountain whence all those Babylonish streams issued unto us. The Lord therefore is still on the back trade, and *we following* him therein cannot yet be at a stay. Yea, we trust that He shall so follow forth this trade as to *chase home the beast and the false prophet to Rome, and from Rome out of the world.* [*In margin:* "There is no beast to run to Rome."] Besides this third consideration results from the former two, for if this expedition be *necessary,* and if it be *defensive,* then it follows inevitably that we are called to it; yea, commanded by the law of God and nature, and we are obliged to it by our Covenant. [*In margin:* "But, being neither, is every way unwarranted."] IV. Fourthly, the lawfulness of this expedition appears if we consider *the party* against whom; which is not the kingdom of England, but the *Canterburian faction of Papists, Atheists, Arminians, prelates* [*In margin:* "If these be in fault, is there not justice in the kingdom to punish them without their coming in"], the misleaders of the King's Majesty and the enemies of both Kingdoms. We persuade ourselves that our brethren and neighbours in England will never be so evil advised as *to make themselves a party against us by their defence and patrociny of our enemies among them* [*In margin:* "If they can fool England into this they may do what they will."] as sometime the Benjamites made themselves a party against the Israelites by defending the Gibeathites in their wicked cause, Judges xx. We pray God to give them the wisdom of the wise woman in Abel, who, when Joab came near to her city with an army, found out a way which both kept Joab from being an enemy to the city and the city from being an enemy to him, 2 Sam. xx. *As touching the provision and furnishing of our army in England,* it shall be such

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as is used *among friends not among enemies.* [*In margin:* "Have not the northern parts found them so?"] The rule of *humanity* and *gratitude* will teach them to furnish us with necessaries, when as, beside the procuring of our own peace, we *do good offices to them.* They detest we know the churlishness of Nabal, who refused victuals to David and his men who had done them good and no evil, 1 Sam. xx. And the inhumanity of the men of Succoth and Penuel, who denied bread to Gideon's army, when he was pursuing the common enemies of all Israel, Judges viii. But let the English do of their benevolence what humanity and discretion will teach them. For our own part our Declaration shows that we seek not victuals for naught, but for money or *security.* [*In margin:* "Not worth three of their lice."] And if this should be refused (which we shall never expect) it were as damnable. [*In margin:* "Damnable not to give these Israelites way"] *as the barbarous cruelty of Edom and Moab, who refused to let Israel pass through their country,* or to give *them bread and water in any case,* Numbers xx., Judges xi. [*In margin opposite this passage a double cross.*] And this offence the Lord accounted so inexpiable, that for it He accursed the Edomites and Moabites from entering into the congregation of the Lord unto the tenth generation, Deut. xxiii. 3, 4. V. The fifth consideration concerns the end for which this voyage is undertaken. We have attested the searcher of hearts, it is not to execute any *disloyal act against* the King's Majesty. [*In margin:* "Is it [not] highly disloyal what they have done already?"] It is not to put forth a *cruel or vindictive hand against our adversaries in England,* whom we desire only to be judged and censured by their own honourable and high *Court of Parliament.* [*In margin:* "This may be done though they return."] It is not to enrich ourselves with the wealth of England, nor to do *any harm* thereto. [*In margin:* "Much is done already by them."] But by the contrary we shall gladly bestow our pains and our means *to do them all the good we can,* which they might justly look for at our hands, for the help which they made us at our *Reformation, in freeing us from the French, a bond of peace and love betwixt them and us to all generations.* [*In margin:* "And exceedingly well kept at this day."] Our conscience and God, who is greater than our conscience, beareth us record, that we aim altogether at the glory of God [*In margin:* "This is the height of hypocrisy"], peace of both nations, and honour of the King [*In margin:* "God preserve his Majesty from such honour"], in [the] suppressing and punishing in a legal way of those who are the troublers of Israel [*In margin:* "Elias was made so once"], the fire-brands of hell, the Korehs, the Balaams, the Doegs, the Rabshakahs, the Hamans, the Tobiahs, and Sanballats of our time, which done we are satisfied. Neither have we begun to use a military expedition to England as a mean for compassing those our pious ends; *till all other means* [*In margin:* "All save doing our duty"] which we could think upon have failed us and this alone is left to us as *ultimum et unicum remedium,* the last and only remedy. VI. Sixthly, if the Lord shall bless us in this our expedition and our intentions shall not be

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crossed by our own *sins* and miscarriage, or *by the opposition of the English,* the fruits shall be sweet, and the effects comfortable to both nations, to the posterity and to the reformed kirks abroad. [*In margin:* "Can any fool believe this, for I am sure no wise man can."] Scotland shall be reformed as at the beginning, the reformation of England long prayed and pleaded for by the godly there [*In margin:* "They'll reform England"] shall be according to their wishes and desires perfected in doctrine, worship, and discipline; Papists, prelates, and all the members of the *Antichristian hierarchy,* with their idolatry, superstition, and human inventions, shall pack them hence; the names of *sects and separatists* shall no more be mentioned [*In margin:* "Because all will be such"], and the Lord shall be one and His name one throughout the whole island, which shall be glory to God, honour to the King, joy to the kingdoms, comfort to the posterity, example to other Christian kirks, and confusion to the incorrigible enemies. [*Printed at Edinburgh by Robert Bryson, and are to be sold at his shop at the sign of Jonah.* 1640. *Reprinted in "Notes of the Treaty of Ripon," Appendix ii., p.* 72. *Printed.* 8 *pp.*]

Oct. 12. M.S. copy of the same. [*See Sept.* 4, *vol. cccclxvi., No.* 42, *pp.* 20–30.]

Oct. 12. 88. Proposition of the Scotch Commissioners to the English Lords Commissioners. If the King be pleased to condescend to the maintenance of our army, which of necessity must be previous to all treaty and cessation of arms, your Lordships would be pleased either to bring his Majesty's positive will or power to you to determine the quantity, way of payment, and the time, lest these occasion more delays, whereof we have already shown you the inconvenience. *Headed,* "This following was presented to his Majesty by Lord Mandeville from the Scots, 12th Oct. 1640." [$\frac{1}{4}$ *p.*]

Oct. 12. Gray's [Inn]. 89. Attorney General Bankes to Sec. Windebank. His Majesty gave direction at York that his learned counsel, the Council in the Marches, the Judges in Wales, the Queen's counsel, the Prince's counsel, and Mr. Surveyor General, should have notice to do their best endeavours to be of this ensuing Parliament. I do not find that they have had any advertisment to this effect, and the command was given to Mr. Secretary Vane to write to you about it. I thought good to inform you thus much that it may yet be done. [$\frac{1}{2}$ *p.*]

Oct. 12. Note of cannon to be placed on the bulwark of the Tower of London betwixt the White Tower and the lions' den; amounting to five. [*On same paper as Oct.* 10, *No.* 78. $\frac{1}{4}$ *p.*]

Oct. 13. 90. "Remembrances for the English Lords Commissioners to put them in mind of such things as have fallen into debate about the demands of the Scots for maintenance of their army during the

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treaty." [*Underwritten:* "These Remembrances not to be concluding but any other way to be taken, that the Commissioners shall think fit." *Endorsed by Windebank:* "Received from Mr. Treasurer [Vane Oct.] 15 at 6 at night." *Printed in Rushworth iii.*, 1297. 1 *p.*]

[Oct. 13.] Copy of the same. [*On same paper as Oct.* 12, *No.* 88. ¾ *p.*]

[Oct. 13.] Another copy. [*See Sept.* 4, *vol. ccclxvi., No.* 42, *p.* 65. 1½ *p.*]

Oct. 13. Drury-lane. 91. Sec. Windebank to Algernon Earl of Northumberland. About three weeks since I represented to his Majesty an advice that came to me from Sir Thos. Rowe, that sundry Scottish commanders and principal officers serving the Crown of Sweden had obtained licence to leave that service, and were ready to come from those parts to join the rebels of Scotland. His Majesty answered he had given you order in it and you were to take care to intercept them in their passage. Very lately confirmation has come to me of the truth of that advice by a Scotch gentleman who last Friday week saw at Gottenburg divers of those Scottish commanders ready to embark and three Scottish ships ready to receive them and to transport with them very great quantities of ammunition and arms. He assures me that all this last summer there has been the greatest commerce at Gottenburg with Scotland ever known, and that Scotch vessels have continually passed thither and returned, notwithstanding his Majesty's ships at Tynemouth or elsewhere, of which they speak with great contempt. Conceiving it to be of immense weight to his Majesty's present affairs to prevent the conjunction of so dangerous a reinforcement of men and ammunition with the rebels, I held it my duty to represent this to you, to whose care this service properly belongs. [*Draft by Read.* 1 *p.*]

Oct. 13. York. 92. Sec. Vane to Sec. Windebank. His Majesty and my Lords were sitting in the Assembly [when] I received your last this afternoon where I acquainted the Lord Keeper with the distaste taken by the City and divers lords and bishops that they had not yet received their writs of summons to attend in Parliament, and that you had this in charge from the Council to advertise me of, that his Lordship might speedily dispatch them, which he has promised shall be done. I wrote to the Queen, and the Lord Privy Seal, to whom I sent the King's Letter to the City by the Earl of Newcastle's man, it being by his Majesty's express command that I made a despatch to her Majesty and his Lordship, because he with the Committee being principally entrusted with the negotiation with the City for the 200,000*l.*, it was fit for them to have the despatch. Since then you have heard at large from me, and I presume you will not say I have been negligent in my correspondence; and therefore being then straitened in time you will excuse me. His Majesty and my Lords have spent all to-day in consulting what answer to make to the last paper sent from the Scottish Commissioners which I sent you in my despatch of the 11th. The result of all is that the Lords are to return to-morrow to Ripon with full powers from his Majesty to treat and con-

clude, with some additional memorials which were [added] with the advice and consent of the Peers, the copy whereof you shall receive enclosed. [*See above, No.* 90.] I hope four or five days more will discover what are the real intentions of the Scots, whether they intend peace or no, though they are subtle and very close; and [peace] certainly must be principally intended by the Lords Commissioners, for the Parliament draws on fast, where his Majesty will be certainly at the day, and nothing concerns him so much in these exigencies, next money, as the straitness of time which he is now cast upon, and it ought to be well husbanded. As I was closing my letter the Lord Keeper sent me word that the writs were all sealed 10 days ago, and put into the messengers' hands, whom I hope you will inquire after and see punished. [*Endorsed:* "Received [Oct.] 15, at 6 at night." 3 *pp.*]

Oct. 13. Yarum. 93. Sir Thos. Colepepyr to Edward Viscount Conway. This morning the Mayor of Stockton [co. Durham] sends me word of five or six troops of Scotch horse that are come to Billingham, a mile and a half from Stockton. Also I conceive that the five companies that lie upon the fords about Worsop [Worsall or Warcop ?] not having such materials sent in by the country as Sir William Pennyman and myself at first wrote for, viz., spades to intrench and carpenters to stake up the fordable places for their better defence, lie extremely open to the enemy and far from relief. I hope you will consider this in time, that I may be excusable in case they suffer for want of materials for their defence. I beseech you to communicate this to the Lord General, together with our opinions of the state of this place, that a timely resolution may be come to to furnish the defects. [*Endorsed*: "Yarum 10 a.m., Northallerton at 2 p.m., and received at York at 9 at night." 3 *seals with arms and crest.*]

Oct. 13. 94. Petition of Robert Barrell, clerk, his Grace's curate of Maidstone, to Archbishop Laud. About two years since on a petition delivered to you by the Mayor, Jurats, and others of Maidstone, suggesting, untruly, that petitioner entrenched on their ancient custom of choosing churchwardens, and demanded in tithes, offerings, and church dues more than by law and custom they ought to pay, your Grace referred the ordering of this business according to law and justice to Sir John Lambe and Sir Nathaniel Brent, who on a summary hearing of it at [Doctors'] Commons, did with consent of the counsel on both sides put it in a legal way before Sir John Lambe in the Arches for the examination of witnesses to try the custom, and appointed the churchwardens or some nominated by the townsmen to be plaintiffs against petitioner in a cause of jactitation. This suit has been since prosecuted and ready for sentence, the last two terms on petitioner's side, but kept off by delays of the plaintiffs; petitioner has also obtained sentence in the Arches Court upon an appeal from Canterbury against Lawrence Newton, a factious fellow who now intends to petition you from himself and the Mayor, Jurats, and others that both these suits may be ended by reference and taken out of the legal way they are now in with intent to

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defeat your suppliant of his charges in both suits, which have been very great. Petitioner prays that your Grace will suffer these suits to proceed before Sir John Lambe, and the suit which is yet unsentenced hastened to sentence in the beginning of Michaelmas term next, for the settling of his future peace and the good of his successors in the cure of Maidstone. *Underwritten,*

94. I. "*If the sentence in this cause be passed already I must leave petitioner to the justice of the court, but desire Sir John Lambe to take the best order he can that peace be settled with all care and speed according to justice, that so these mutual complaints may* [*at*] *once have an end. W. Cant. Oct.* 13, 1640." [*Endorsed by Laud: "Received Sept.* 3, 1640. *From Mr. Barrell about his suit in the Arches."* 1 *p.*]

Oct. 13. 95. Information respecting disloyal and abusive language used by Dr. Seaton, Mr. Leviston, and Mrs. Black, widow, against Archbishop Laud. They being together at cards at Mrs. Black's house in St. Martin's lane, Dr. Seaton produced a ballad about two Welshmen, lately printed, which he said he had sent to Scotland, where it would make very good sport, and in a jeering manner wished he had but the Nout's head to send with it, for that would make sport indeed. Mrs. Black asking whose Nout's head he meant. Dr. Seaton replied the Archbishop of Canterbury, to which she answered "That indeed is as fat as your own." Dr. Seaton then urging Mr. Leviston to speak something against his Grace, and saying he durst not, Leviston replied, "The Devil take him, what would you have me say"? Mrs. Black said besides that my Lord of Dorset the day before had said in open Council it were a good deed to have some of their noses slit, *i.e.*, of the Scots, but she said she hoped his nose would be slit first, and if it had not been for the Scots he had not been where he is. And speaking concerning the armies, she said she wondered the English should presume to stand against so great an army, to which Dr. Seaton replied, "Let them alone, the Parliament will cool their courages shortly." In their play, two knaves being laid upon the table, Dr. Seaton said there wanted but the third—the Archbishop of Canterbury. He said besides to Mrs. Black, "I have a little business with the Archbishop and must wait on him ere' long. I would thou wert but by to see what cringes I shall make to him!" Mrs. Black's husband was the King's tailor. [*In Nicholas' handwriting.* 1 *p.*]

Oct. 14. Star Chamber. 96. Notes by Windebank of business transacted by the Council this day. Bankes, the messenger, to be sent for to answer for the Parliament writs. A cozenage to get a loan of money. The messenger's deputy to be examined. [*Margin:* "Cunningham to write to the King once more."] Occasion taken by the King's letters of thanks. [*Margin:* "To speak with the Queen concerning the leather and Queen-mother."] The letters made known to the Recorder; very satisfactory. Whether the letter to be delivered by the Lords. Rather forbear than appear in the delivery of the letters. [*Margin:* "The Recorder's reasons." 1. All will be mute while you are present.

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2. If you present the letter the City will think the thanks belong to you, and not to the King. So they left the letters to the Lord Mayor, and they know not what is done. The Recorder to be sent for. In point of concession the Lord Mayor said on Saturday that all was granted. The Lord Privy Seal. The King to be put in mind to show good countenance to the Lords, and avail himself of them to write new letters to the City for the rest of the money. Mr. Recorder gave the information that all was yielded. The question made by Lord Cottington whether these two Lords believe that the City will furnish the rest of the 200,000*l.* There is danger that they will not. The intervening accidents since have altered the case. What they did as actors was one thing; what they must do now as counsellors another, they cannot assume that the City will do it now. [*Margin:* "The assumption of the City for the whole 200,000*l.*"] The City went upon the Parliament; and but that they hoped to be reimbursed by the [Parliament] they would not have granted so much. The Lord [Mayor] to be spoken with to retract. The Peers at York [to join the other] Peers, and to write. [*Damaged by damp.* 1 *p.*]

Oct. 14. 97. Notes by the same of some propositions to be made to the King concerning the City moneys, vizt., 200,000*l.* 1. That the City have hitherto declared themselves but for 50,000*l.* 2. That the Commissioners for the loan affirm they have already done all that can be expected from them with the City. 3. That of those Commissioners here are none left but the Lords Privy Seal, Coventry, and Goring. 4. That the Lords are of opinion the City will be drawn no further by these Commissioners. 5. That they are likewise of opinion the Parliament cannot furnish it in time, except by some credit from the City. 6. That, therefore, his Majesty may be pleased to communicate this business to some of the best affected and most discreet of the Peers, and to advise with them of some other committee to be presently sent from them to the City with instructions to negotiate for the furnishing of the rest of the 200,000*l.* at the times formerly mentioned and desired by the Lords, and that the City will promise it, and make declaration of it for the reputation of his Majesty's affairs. That his Majesty consider well how long the 50,000*l.* will serve, and whether it be probable that the Parliament may supply it in time. Query: If a new committee should not be joined with these, or some of them, lest else they prove wayward? [1 *p.*]

Oct. 14. Notes by the same of his proceedings in the King's absence. I wrote to his Majesty, with one from the Queen and Lord [Archbishop of] Cant[erbury] an account of the Lords' opinions concerning the loan, and to Mr. Treasurer [Vane] an account of Gottenburg. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 5 *lines.*]

Oct. 14. 98. Mandate of Archbishop Laud, in the absence of the Bishop of
Lambeth Palace. Lincoln, now suspended, and according to the King's writ to him, dated at York September 24, 1640, to the Dean and Chapter of

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St. Mary's, Lincoln, to choose, on Oct. 31, two clerks of Convocation at St. Mary's, Stamford, to represent them in the Convocation which is to meet November 4 next in the Chapter-house of St. Paul's Cathedral London. [*Latin. Copy.* 3 *pp.*]

Oct. 14. 99. Another copy of the same. [*Endorsed by Sir John Lambe:* "Copy of my Lord of Canterbury's mandate to choose clerks of the Convocation, 31st Oct. 1640, at Stamford, against 4th November next. Dated 14 Oct. 1640." *Latin.* 3 *pp.*]

Oct. 14. 100. Deed of resignation by Francis Kinaston, M.A., of the church and rectory of Thorington, Suffolk, to Bishop Montague, of Norwich, his ordinary; performed in an upper room in Trinity College, Cambridge, in the presence of James Tabor, public notary, who has affixed to the document his seal and signature. [*Latin.* ½ *skin of parchment, damaged.*]

Oct. 14. 101. Deposition of Christopher Parrish, brewer, of Great Yarmouth, concerning the proceedings of soap searchers there. He saith that on Sept. 18 last he attended Robert Norgate and Anthony Speck, bailiffs, of Yarmouth, at the same time that Thomas Woodall and Richard Humfries, searchers to the Society of Soapmakers, came to them and required their assistance in searching for and seizing foreign soap; and the bailiffs sent deponent to a chief constable of Yarmouth, who assisted the searchers in their search throughout the greater part of the town; and they finding certain soap in the possession of George Tyllyard, and requiring it of his wife and servants, he being not at home, she refused to deliver it up till her husband had notice thereof, notwithstanding the intervention of Mr. Call and Mr. Manthropp, aldermen and justices of the peace. With the bailiffs' help they put it in a cart, and departed peaceably, entreating deponent to come to their lodgings and drink for his pains. He further says the bailiffs did not grant any process against the searchers or others. He knows the said searchers during their imprisonment had as much liberty to walk abroad with their keeper as any other person under arrest; nor did the bailiffs restrain them from writing to any one. Witnessed by John Page as taken on oath on the above date. [1 *p.*]

Oct. 14. 102. Certificate of Mr. Fenn that there was this week received of Roger Kinaston, sheriff of Salop, 113*l.* 3*s.* 0*d.*, ship-money; payable upon the writs issued, 1639, and that the Mayor of the city of Hereford has 220*l.* [*Nicholas has subjoined:* "The Mayor has received this sum, but will not pay it in till he sees what the Parliament will do." ⅓ *p.*]

[Oct. 15.] 103. Petition of Sir John Wray to Francis Lord Cottington, Master of the Court of Wards. Sir Francis Foljambe died three weeks since [25 Sept. 1640] seized of divers lands in co. York and elsewhere, held in chief of his Majesty; leaving one daughter [Francisca, aged 11½], his heir, within age and in ward to his Majesty. Her mother being dead, and petitioner being her uncle, he prays for a writ, and after office found to be admitted to compound for the said wardship. [½ *p.*]

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Oct. $\frac{15}{25}$. The Hague. 104. Charles Louis, Elector Palatine, to Sec. Vane. I am extremely glad to hear by your letter to Sir Robert Honywood of the happy beginning the King has made towards composing the present troubles of his realm and do hope the rest will follow to his satisfaction, not doubting but his wisdom will take away all obstacles, and having done his own business he will think of his poor nephews and do something for them besides his present favour of our sustenance. Meantime I beseech you to keep me still in his Majesty's good opinion. [*Seal with arms and coronet and surrounded by the motto "Honi soit qui mal y pense."* 1½ *p.*]

Oct. 15. 105. Sec. Windebank's accounts from Sept. 1639 to Oct. 15, 1640. On the former day he has 4,006*l.* 17*s.* 6*d.* in a chest, and at different dates withdraws certain sums for timber, to pay the Queen-mother, the last instalment for the post business, to give his wife &c., leaving 786*l.* 9*s.* 6*d.* in the chest on the last date. [1 *p.*]

Oct. 15. 106. Certificate by Richard Roe that the 50 bales of calf skin containing 500 dozen skins, which Edward Abbott, merchant, for whom he is agent, entered in the Custom House to-day, cost 15*s.*, 16*s.*, 17*s.*, and 18*s.* a dozen. [¼ *p.*]

Oct. 15. 107. Manifesto of Thomas Smith, mayor, and the Jurats of Hastings, certifying the tenor of an examination of witnesses held upon letters from the Council of Oct. 10 concerning scandalous words spoken against Robert Read. A report that Read was a Papist was spread by Joshua Bennett, a freeman of Hastings, who had heard so from one, Robert Underwood, who said he had been told it by a messenger of the Chamber. [*Corporation seal impressed.* 1 *p.*]

Oct. 16. Warrant to Sir David Cunningham, Knt. and Bart., Receiver General to the Prince, to pay to the Countess of Roxborough, governess to the three Princesses and the Duke of Gloucester, for defraying the yearly expenses of their robes and privy purse 1,700*l.*; these allowances to commence from Midsummer last, and to continue during pleasure, likewise to pay to the Countess such further sums as shall be expended in the premises, the same being first allowed by the Commissioners for settling the household of the Prince. Provided that a former Privy Seal, dated July 1638, for payment of 1,300*l.* yearly, do cease and determine. [*Docquet.*]

Oct. 16. Grant to John Cosin, D.D. and chaplain-in-ordinary to the King, of the deanery of Peterborough void by the death of the last incumbent and in his Majesty's gift *pleno jure.* [*Docquet.*]

Oct. 16. Star Chamber. 108. Notes by Sec. Windebank of proceedings at the Council this day. The King to be acquainted with the Lords' opinion that the journals and petitions shall be delivered. The opinion of the Lords that [Capt. Thos.] Ogle should be dismissed. [3 *lines.*]

Oct. 16. Notes by the same of his proceedings in the King's absence. I wrote to his Majesty an account of the 50,000*l.* Clerk of the Par-

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liament, the businesses of Ogle, Cunningham, and the messenger and the London writs; enclosed one from the Queen, and another from Archbishop [Laud]. I also wrote to Mr. Treasurer [Vane] to the same purpose with one from the Queen. [*See Aug.* 20, *vol. cccclxiv., No* 45. ¼ *p.*]

Oct. 16. Commissioners for Gunpowder to Montjoy Earl of Newport. To issue 24 barrels of gunpowder, at 5*l.* a barrel, to Godwin Awdry, of Melksham, co. Wilts., for replenishing the magazines of cos. Berks., Wilts., Somerset, Dorset, Gloucester, and Southampton. [*Minute. See vol. ccclv., No.* 61, *p.* 13. 5 *lines.*]

Oct. 16. The like. To issue one barrel to Thomas Young for replenishing the magazine in co. Hertford. [*Ibid.* 4 *lines.*]

Oct. 16. 109. Reply of the English Lords Commissioners to the Scots' demands touching the maintenance of their army. First, concerning the 850*l.* per diem, we find it to be the uttermost the country can bear, and it is a contribution fit for any army only for safety and security, especially where any other means by lessening of the King's army or otherwise is offered, to remove all doubts or jealousies, so that you may make your army suitable to the means of maintaining it [*Endorsed by Sec. Windebank:* "Received from Mr. Treasurer Vane 19th Oct." *Printed in Rushworth, iii., p.* 1298. *Copy.* ⅔ *p.*]

[Oct. 16.] Another copy of the same. [*See vol. cccclxvi., No.* 42, *p.* 71. 1½ *p.*]

Oct. 16. 110. Proposition of the English Lords Commissioners to the Scotch Commissioners concerning a competence for maintenance of their army. Whereas your Lordships propounded as a competent maintenance for your army 30,000*l.* a month at 30 days to the month, we leave to you as a fitting competence, as we conceive, the continuance of those contributions which have been formerly settled by the counties of Cumberland [and Northumberland], the Bishopric of Durham, and town of Newcastle, amounting to 850*l.* a day; but so that for the raising of this sum the lands of the bishops, dean and chapter, clergy and Papists, shall be taxed only by the ordinary ways of levy of the said contribution. And that the Scotch army in regard of the 850*l.* per diem forbear to exact any tax, provision, or forage whatever from those counties or any other place. Likewise leaving free to his Majesty and all others the customs of coal and all other customs; the true meaning being that for all demands whatsoever the Scotch army remain fully satisfied with the payment of the 850*l.* per diem; and that the Bishop, clergy and all other inhabitants of the Bishopric, Northumberland, and Newcastle shall have free liberty to return to their dwellings and enjoy their own without molestation. And in regard to the contribution paid by those counties, the Scottish army is to give security that both whilst they stay and when they disband or march back they will save those counties from all plundering. And that on settling the payment of this contribution a cessation of arms be presently decreed

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on both sides; and certain bounds [be fixed] which neither party shall pass in any hostile manner. And for securing the payments all reasonable satisfaction shall be given them. And the payments to begin from this present 16th Oct. 1640, and to continue for two months if the [settling the] treaty shall so long last; and to be paid weekly pro rata. And as soon as this accommodation for the maintenance of the Scottish army shall be settled and signed by the Commissioners on both sides there shall be a present entry upon the main treaty. [*Endorsed by Windebank:* "Received from Mr. Treasurer [Vane Oct.] 19th." *Copy.* 1 *p. Printed in Rushworth iii., p.* 1298.]

Oct. 16. Another copy headed, "Sent from the Lords at York to the Scotch Commissioners at Ripon 16th of Oct. 1640." [2 *pp. See vol. cccclxvi., No.* 42, *p.* 67.]

Oct. 16. Ripon. 111. Articles for easing the county of Northumberland, Bishopric of Durham, and town of Newcastle, and for settling a competency for maintenance of the Scottish army agreed upon between the English and Scottish Commissioners at Ripon this day. [*Printed in Rushworth iii., pp.* 1295–6. *Copy.* 1¼ *p.*]

Oct. 16. 112 and 113. Two copies of the preceding.

Oct. 16. The like. [*See vol. cccclxvi., No.* 42, *pp.* 82–85.]

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Oct. 17. Ripon. 1. Answer of the Scottish Commissioners to the reply of the English Lords Commissioners touching the Scots' demand for the maintenance of their army. [*Printed in Rushworth iii., p.* 1300. *Copy.* 1½ *p.*]

Oct. 17. Another copy of the same. [*See vol. cccclxvi., No.* 42., *p.* 72. 2 *pp.*]

[Oct. 17.] 2. The Scottish Commissioners reply to the proposition of the English Lords Commissioners concerning the maintenance of their army. [*Printed in Rushworth iii., p.* 1299. *Copy in Read's handwriting.* 2¼ *pp.*]

Oct. 17. Another copy of the same. [*See vol. cccclxvi., No.* 42, *p.* 68. 3 *pp.*]

Oct. 17. Ripon. 3. Sec. Vane to Sec. Windebank. I am glad to understand by yours of the 14th that you are so just as on second thoughts not to be angry with me, which certainly I shall endeavour never to give you cause to be in the least degree. If I do I shall not be ashamed to ask you pardon. I was on Thursday last by his Majesty's command, at the desires of the Peers, sent to Ripon to assist at the treaty with the Commissioners; and though the three others, my com-

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panions, be in this town yet they are not admitted to be present but to be ready whenever the English Commissioners shall call for them, for the Scots will not admit them to be present at the debates. What has passed at the treaty since my last, the papers which the English delivered to the Scots, which you will receive enclosed [*see Oct.* 16, *Nos.*109, 110], will tell you. The Earls of Hertford, Bristol, Holland, and Lord Mandeville are sent to-day from the English Commissioners to his Majesty to consult the papers with him and the Peers and to return with their approbation. I perceive not only by your last but by one I have received from the Lord Privy Seal [Henry Earl of Manchester], that it was he, not you, that was deceived in the account of the City business. I received just now a letter from his Majesty by which I perceive he himself will quicken the despatch, which else I should have done if I had been at Court and it had been necessary. If there be not something hid in the dark, I do not see, when our four Lords are returned from York, which we expect to-morrow after dinner or on Monday morning, but that two days after may finish the treaty, and then you may expect that his Majesty within three or four days more will look southward. [*Endorsed:* "Received [Oct.] 19 at 9 at night." $2\frac{3}{4}$ *pp.*]

Oct. 17. Berwick. 4. Sir John Conyers to the same. Opportunity for the safe conveying my letters comes now but seldom. This I hazard by a messenger sent hence to the camp. I received an order awhile since from Mr. Treasurer [Vane] with a copy of the Scottish Commissioners letter to their General [Leslie] to suffer posts and packets to pass, but although his Majesty had condescended to it their General would not. I had lately a hot alarm of Colonel Monroe's coming to besiege me and was assured he would be here within two days, but as yet I hear no more of him, but 'tis certain they raise forces continually in Scotland, and they intend not on any conditions to quit Newcastle. Those men that came from Edinburgh have come here, and two companies of trained bands of this county which I called in; I desired they would pay them for a month, but 'tis refused by Sir John Dalevell [Delaval] who is the only deputy-lieutenant in this country. Pray remind the Lord Treasurer [Bishop Juxon] of us on all occasions that money may be provided for us, and all provisions sent us from the south, for here we can scarce be furnished for our money. Out of our little I have lately furnished the Captain of Holy Island with two months' provision, men, and ammunition, and a quarter's pay for him and his; this last by order from Mr. Treasurer [Vane]; as also a ship of the King's with a month's victuals, his being spent, for it is most needful that a man-of-war be ever in that harbour. I wrote letters lately into Scotland to cause them to contribute to us in this garrison, as those of England do to their army, but nobody appearing I went two days since myself into Scotland with all this horse and some foot and pillaged a town belonging to the Laird of Elington [Edington], brother of the Earl of Dalhousie, and brought thence 400 or 500 head of cattle. The soldiers I sent in by abuse pillaged his house [Edington Castle]

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also. He is a captain of horse in the Scots' army, and they say one that gives hard measure to our countrymen in England, and was the first that took sheep from within these bounds. Yesterday, having taken the alarm, they appeared before this town; I followed them with the horse to the Whitadder, where they passed over, and there I found a good number of their horse and foot with two small cannon; but they had got upon a place of such advantage I could not fasten on them. They killed a horse of my troop and shot the end of a trooper's nose off with a shot from their small cannon. I am of opinion they will strengthen themselves hereabouts either to block us up or at least to hinder our passage into Scotland. I have begun a fort on the Northumberland side to secure our haven in some sort; but the weather is so extremely rainy that it goes forward very slowly, and we have no money to pay the most part of the people that work on it. [*Endorsed:* "Received [Oct.] 26." *Seal with device.* 2½ *pp.*]

Oct. 17. Berwick. 5. Geo. Payler, paymaster of the garrison at Berwick, to the same. About three weeks since I presumed to acquaint you with our need of supplies, wherewith we are now furnished, and wherein I doubt not your favour was assisting, for which I most humbly thank you. Our Governor [Sir John Conyers] with a party of horse and foot marched yesterday into Scotland, where they pillaged a town called Edington, about 6 miles from us, and in their return they brought home to Berwick 90 head of cattle, 500 sheep, and 30 horses, all which are to be divided amongst the soldiers. The Scots presently after our march thence came within our bounds and took away many cattle belonging to the inhabitants of Berwick. 'Tis said Colonel Monro with sundry regiments of horse and foot are on their march, intending to quarter about us. Fifteen hundred men and three hundred horse have come to Paxton within 2 miles of Berwick and to-day our troops marching towards them, they discharged some field-pieces which are mounted on a house and killed one of our horse, and there they are lodged. We must expect alarms every hour, for they begin to approach us on all sides, we fear nothing but want of provisions. We have almost finished the new fort on the English side. [*Endorsed:* "Received [Oct.] 23rd." 1 *p.*]

Oct. 17. Chester. 6. William Owen, postmaster of Chester, to Robert Read. On the 11th of this instant I received a packet signed by Mr. Secretary [Windebank] for his Majesty's special service directed to me, according to your directions, I went that night myself to Knowsley and delivered the enclosure to Lady Strange, my Lord Strange taking his journey to York that morning soon after my coming. Knowsley is 22 miles from here, and Lady Strange was not so bountiful as to pay me for my charges nor one penny for my pains. This letter from her to Sir Richard Wynne is an acknowledgment of yours and a former one from Sir Richard. [1 *p.*]

Oct. 17. 7. George Bingley, auditor of imprest, to Nicholas. According to your desire to know what pay was allowed Captain [John] Paperill, late one of his Majesty's engineers, for his services about the fortifica-

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tions at Dover, be pleased to notice that he had 10*s.* per diem for the charges of himself, his man and two horses, for the whole time of his employment there. [*Seal with arms and crest.* ⅖ *p.*]

Oct. 17. Northallerton. 8. Sir Fulke Hounckes to [Edward Viscount Conway]. If it be your pleasure that I may send out parties into the Bishopric [of Durham] I doubt not but to do some good, for they have parties out to fetch in contribution, and Sir William Pennyman assures me that the King gave him order that he should a-trap [entrap] the Scots if they went in parties. [*Damaged by mice.* 1 *p.*]

Oct. 17. 9. Receipt by Sir William Balfour for 50*l.* received from Francis Lord Cottington by the hands of Edward Manning, towards the monthly pay of the Tower Garrison. [½ *p.*]

[Oct. 17.] 10. Information concerning Joseph Woodgate, tailor, of St. Bride's, Fleet-street. About a fortnight since Woodgate coming out of the North lodged at the Red Lion, in Brickhill, and showed Mr. Grant, parson of Church Lawford, co. Warwick, the second justification of the Scots' coming into England, and another book written by one Udall long since and newly reprinted, and would have shown him some more had not Mr. Grant spoken against the Scots. The said Woodgate set his horse at the Bolt and Tun, in Fleet-street, intending to sell him, and the ostler there sent Mr. Maile to a chandler two doors off, to inquire about the horse: and the chandler's man told him he was an exceedingly good nag, for his master had ridden him into Devonshire and other journeys and then sold him to Woodgate who had ridden him into Scotland and back, and was then newly come out of Yorkshire with him. [1 *p.*]

Oct. 17. 11. Examination of Jasper Bowles, servant to William Wickliffe, chandler, in Fleet-street, to the same effect as the above. [⅔ *p.*]

Oct. 17. 12. The examination of Joseph Woodgate, tailor, of St. Bride's, Fleet-street. He saith that the 13th Sept. last he went out of town to go to Sir Robert Hatton's house in Sandy Beningfield [Benefield ?], in Northamptonshire, to speak with Mr. Anthony Aucher who ought [owed] him money, thence to Coventry, and so to Warwick, on private business, and he was at all these places and so went to York to speak with Sir John Suckling, and from York came directly homeward, arriving in London the 3rd of this month. He was not nearer Scotland than Yorkshire, nor did he lodge at Brickhill, nor ever saw that town. He never had any of the Scottish books, nor ever saw any of them, but he confesses that he had the petitions of the lords of England and of the rebels of Scotland, which he carried with him and showed to a minister in Holywell, near Hitchin. [1 *p.*]

Annexed,

12. I. *Further deposition of the same specifying more particularly the places at which he stopped.* [½ *p.*]

12. II. *Joseph Woodgate to his wife Joan. Master Ballard and I parted at Coventry to-day; we have been at Mr. Bancks'*

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house and were made much of. I am not certain when I shall be at home, for now I am a good part of the way to York and I think to be there on the 24th of this month to see if I can meet with Sir John Suckling. We have had much rain and the ways are very foul. Pray tell Mr. Whitleft [*Wickliffe*] *the nag is lost; desires to be remembered to his friends.* [*Coventry*], *Sept.* 19, 1640. [1 *p.*]

12. III. *The same to the same. I wrote to you from Coventry I met Mr. Comarland at Northampton. I have not yet seen Sir John Suckling but he will be at the Court next Saturday. I see Mr. Shearman at Court and he makes very much of me, he remembers his love to Mr. Whitleft and his wife. For news the Scotchmen pillage the country very much; last Friday they were caught a pillaging Mr. Pudsey's house,* 37 *horsemen were taken and* 7 *or* 8 *killed. Three of them are brought to York, one being Sir Arthrip Duckles,* [*Sir Archibald Douglas*], *his saddle was presented to the King but the man that took him had his horse. The Bishopric of Durham suffers much, for they are forced to pay* 600*l. a day to the Scots. Leslie rides in Sir John Suckling's coach which he took in Newcastle with his clothes and* 300*l. in money. A Parliament is concluded upon, which is to open the* 3*rd of November; the King has left himself to* [*be guided by*] *the Lords. I have seen the leaguer and the King's army is very strong, many soldiers and field-pieces went to day up into the country, I will make all the haste home I can. I hope to be at home the latter end of next week. York, September* 25, 1640. [*Seal with arms broken.* 1 *p.*]

[Oct. 17.] 13. Petition of the same to Sec. Windebank. Petitioner by your warrant has been a prisoner in the custody of a messenger these divers days to his great charge and hindrance. Now as this trouble arises upon surmises and suspicions as petitioner is able to prove, and that he being now constable his Majesty's service is neglected in his absence; and as he is a tradesman with a wife and seven children and no means but his trade to maintain them, he beseeches you to give him his liberty, that he may follow his calling, and he will give very good and sufficient security to answer all matters against him, and to appear when and where you shall appoint. [$\frac{2}{3}$ *p.*]

Oct. 18. Westminster. 14. Warrant to the Treasurer of the Exchequer to pay William Curtius, the King's agent with the Princes of Germany, 40*s.* per diem for his entertainment, from Sept. 17 last till the day of his return; to advance him by way of imprest this said entertainment for three months, and so from three months to three months, to be afterwards defalked upon his entertainment; and to pay him for his transportation, posting, and other charges such sums as shall appear to be due to him on bill subscribed by himself and allowed

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by one of the Secretaries of State. [*Endorsed:* "Copy of my Privy Seal." ¾ *p.*]

Oct. 18. York. 15. The English Lords Commissioners' answer to the Scotch Commissioners concerning security to be given for the competence of the maintenance of the Scots' army. That we have spoken with the principal gentlemen of the country, who very confidently assured us both of their wills and abilities to make the first month's payment; and there is a particular Committee of the Lords for settling the second month's payment, which we doubt not in very few days will be so ascertained as will be to your full satisfaction; whereof we will likewise have an especial care. There is likewise appointed a special committee of the principal persons of these counties to take a care of the effectual performance thereof from time to time. [*Endorsed by Sec. Windebank:* "Received from Mr. Treasurer [Vane] 23rd Oct." ⅔ *p.*]

Oct. 18. York. 16. Sidney Bere to Sec. Windebank. Being left here by Mr. Treasurer [Vane] to receive in his absence such packets as should come from you and to deliver to his Majesty those for him, I have to-night received two from you of the 16th present, in one of which was a packet for the King which I presently delivered into his own hands, and sent the rest forwards to Mr. Treasurer, and all the other enclosed letters to particular [individuals] I shall likewise see safely delivered. Herewith you will have his Majesty's answer to your last. [*Endorsed:* "Received [Oct.] 20." 1 *p.*]

Oct. 18. Faccombe. 17. Francis Read to his cousin [Robert Read]. I crave pardon for my last week's omission, and am hopeful I shall obtain it when you know I was in Gloucestershire at the funeral of my dear neighbour Lady Rainsford. At my return I found yours of last, and am welcomed home by yours of this week, for which and their predecessors I acknowledge myself infinitely bound to your favour. The carriage of the rebels in this business of the treaty will, I doubt not, at last make it clear to those who have hitherto either favoured or not misliked their proceedings, of what spirit they are, and how true their former pretences of religion, &c. were. And I conceive it to be a happy thing that this discovery will be made both by and to those lords whom perhaps they opinioned did stand best affected to their cause. If their insolencies, rebellions, and averseness to peace stir not up unanimously the hearts of all English people to vindicate their King and kingdom I shall fear that God has laid a slumber of security and neglect upon us all for our sins and will suffer us to perish therein. I beseech God avert His judgments and give a glorious success to the endeavours of his Majesty and his loyal subjects. Sir Thomas Jervoyse hath, as last time, engrossed both the burgess places of Whitchurch [Hants.], that town being, I know not why, so much at his command that they dare not deny him. Had he been contented with one I had a promise of the other for myself or friend; but through his power there and my loathness to contest with him, I must let it alone. My wife's expectation of being confined about a fortnight hence will

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keep me from London till after that time; and that being by God's mercy safely despatched I shall presently after wait on you. [1½ *p.*]

Oct. 18. Warrant of the Commissioners for Saltpetre and Gunpowder to Montjoy Earl of Newport. For 12 barrels of gunpowder to be delivered to Thomas Frere, of London, ammunitioner, for furnishing of ships and supplyof his shop. [*Minute. See vol. cccl v., No.* 61, *p.* 13. 4 *lines.*]

Oct. 19. 18. Second paper delivered by the English Commissioners to the Scottish Commissioners concerning entry into the treaty. [For first paper, *see Oct.* 18, *No.* 15.] The Peers having taken into their care the settling of the competence agreed on as your Lordships understand, it is now his Majesty's desire that we fall to the main treaty. We likewise hold it fit to propound to you the diminishing of your army, both because it will remove the doubts of this kingdom, and will be a reason that the competence agreed on may the better satisfy your army, that disorder may be prevented which may otherwise be occasioned by want. [*Endorsed by Sec. Windebank:* "Received from Mr. Treasurer [Vane] 23 [Oct]." ⅔ *p.*]

Oct. 19. Ripon. 19. The Scottish Commissioners' answer concerning the competence of the security tendered them for raising the provisions for their army. We make no question of the abilities of the prime gentlemen of the country and will not doubt but that your Lordships have made them willing; yet now, after the delay of so many days, from the 1st to the 19th of this month, and after the so often acknowledged necessity of the orderly provision of maintenance during the time of the treaty, and our confident expectation thereof, we are sorry that your Lordships have not, according to the profession of the will and power of those gentlemen, given us a real security that we might have entered with you on the treaty, but that the performance of the security is still suspended, the months divided, of which we did not hear before, and divers other demands, as payment of by-runs, [*i.e.*, arrears] promised by your Lordships, free trade by sea and land, and divers other particulars contained in our last papers, the satisfaction whereof was also necessary before the treaty, are not at all touched on in your Lordships' answer. Concerning the diminution of the army proposed by your Lordships, we have received no instruction, neither shall it be necessary upon the reasons expressed, because competent maintenance being secured and the seas opened, the army we trust shall be easily kept in order, and for removing of jealousies and doubts we have made large declarations and given real proofs, wishing in like manner that no cause of suspicion be given unto us by such propositions, seconding the bitter speeches of some incendiaries who command in his Majesty's army. We therefore earnestly entreat your Lordships to let us know at last what may be expected, at what time the promised security shall be performed and our previous demands satisfied, that we may have some certainty to show to those who sent us, and who on your declarations wait for it from

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us; and that we may proceed to the treaty. [*Endorsed by Sec. Windebank:* "Received from Mr. Treasurer Vane 23rd Oct." *Printed in Rushworth iii., p.* 1296. *Copy.* ¾ *p.*]

Oct. 19. Notes by Sec. Windebank of his proceedings in the King's absence. I wrote to his Majesty with two [letters] from the Prince and the Duke of York and one from the Archbishop of Canterbury. The 4,000*l.* for the mariners no part of the City money. Two papers concerning Earl Rivers. [I wrote] to Mr. Treasurer [Vane] with a note of the titles of the King of Denmark's eldest son and desiring that a new letter may be drawn up and sent to the ambassadors, also to the Marquis of Hamilton with a letter from General King. [*See Aug.* 20, *vol. cccclxiv., No.* 45. 8 *lines.*]

Oct. 19. 20. Deposition on oath of Matthew Waller, of Rislip, Middlesex, taken before Robert Riche in a cause between John Hampton, plaintiff, and Henry Wheeler, defendant. Deponent saith that he knows James Dayne of Rislip to be a wicked man, who has been much supported and relieved by Mr. Hampton, his brother-in-law, and thinks Dayne a man apt to swear and take an oath to please his brother-in-law. [½ *p.*] *Underwritten,*

20. I. *The like of John Wheeler, of Watford, Herts. Deponent heard Dayne revile and curse the Archbishop of Canterbury last midsummer twelvemonth when coming from Rislip Church.* [*Endorsed:* "*Concerning Wheeler, the Queen's litter-man.* ¼ *p.*]

Oct. 20/30. The Hague. 21. Prince Maurice, third son of Elizabeth Queen of Bohemia, to the King. Being ready to take a journey towards General Bannier I may not neglect to acquaint you therewith, and recommend myself and my actions to your Royal favour, which I shall strive to deserve in getting more capacity for your service. [*Seal with arms and coronet broken.* 1 *p.*]

Oct. 20. Sion. 22. Algernon Earl of Northumberland to the Council. Information has been brought me that of late it has been the practice of some strangers residing here to buy ships of several burdens in Holland and elsewhere, and bring them into the Thames, and having manned them with his Majesty's subjects of England, to transport them into foreign parts, especially to the King of Spain's dominions, whence it is observed our men seldom or never return again. Which having taken into consideration, and foreseeing the prejudice his Majesty and the whole kingdom are like to receive by the absence, if not loss, of his seamen, if this course be tolerated, great numbers of them being observed to have gone over, which makes a scarcity of mariners both in his Majesty's service and merchants' employments, I have caused diligent search to be made for such ships, the transporters of his Majesty's subjects, and have in the Thames found now at this present three Dutch bottoms brought hither by one Nicholi di Franchi, a stranger, which vessels have now on board them 60 mariners apiece, all English, and ready to depart for the Groyne, had not my

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warrant opportunely stayed them, having done which, I thought fit to acquaint you therewith as a matter that much concerns the State, especially at this time, and I shall desire you to give such further order therein as to you shall seem most convenient, which shall be carefully observed by me. [*Admiralty seal broken.* 1½ *p.*]

Oct. 20. Ripon. 23. The Scottish Commissioners' reply to the English Commissioners concerning the security for maintenance of the Scots' army, and for drawing preparatory articles. We have considered your Lordships' answers to what we last presented [*see Oct.* 19, No. 19], and have received information first by conference and next in writing from some of the principal gentlemen of Northumberland and Durham to whom you referred us, concerning their willingness and ability to secure the maintenance of our army. We find them to do according to their own parts, but neither do they bind [themselves] for the arrears nor do they undertake for others, nor speak they of more than one month's pay, nor do they design the day for procuring the act of consent of the said counties. Therefore, if you conceive that no more can possibly be done for our security, we desire that this and all the other preparatory articles so long insisted on may be collected and seen in one view, that being altogether considered by us, and we having represented them to those who sent us, if in reason they can give satisfaction, we may according to our common desire enter upon the treaty, and if your Lordships have conceived any further possibility of satisfaction, which we heartily wish, it may be made known unto us. Meanwhile, lest any more time, which is now so precious by reason of the approaching Parliament, be lost, we are most willing to clear our proceedings and demands for your better information, that nothing be left undone by us which may serve for a wished and happy conclusion. [*Endorsed:* "Paper delivered by the Scots' Commissioners for drawing preparatory articles. Received from Mr. Treasurer [Vane, Oct.] 23." ⅔ *p.*]

Oct. 20. Ripon. 24. Sec. Vane to Sec. Windebank. This is only to acknowledge the receipt of yours of the 16th and to serve for a cover to a packet, directed to me from Lord Keeper Finch by his Majesty's command to the Lord Privy Seal, it concerns the City business, for quickening them in the payment of their money, there being two letters from the Peers, one to the Committee, the other to the Lord Mayor concerning the same. I am to-day going to York to prepare for his Majesty's return into the South, which, though the day be not yet certain, cannot now be long retarded. Thence you shall hear more particularly from me, both of the treaty and what else occurs. [*Endorsed:* "Received 22nd, at 8 in the morning." 1 *p.*]

Oct. 20. 25. John Nicholas to his son Edward Nicholas. I perceive by your letter you are now settled at Westminster for the winter, so that both you and myself shall receive letters more certainly than we have this summer. It is good news that there is a hope of peace; God for His mercy send it. Your brother returned from Bristol more than a week since; I have not seen him since his return. I was all last week and part of the week before at Wilton. The

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Earl of Pembroke came to us on Thursday, and Lord Herbert with him; his Lordship would not eat, having broken his fast at Amesbury, where he has lain hawking all last week, but his son and company fell to it like falconers. There is great shuffling for burgesses for the Parliament. My Lord [the Earl of Pembroke] told me you were with him at York when he was very ill; you did well to see him, for he expects respect from you and takes notice of such as neglect him. Mr. Goodridge died on Friday night last. I purpose next week to send you a certificate from Mr. Penruddock, Mr. Hyde, Mr. Littleton, and myself; we were by the Lord Treasurer nominated commissioners by commission out of the Exchequer to inquire by inquisition of jury, and upon interrogatories enclosed in the commission, of the spoiling of woods, felling trees, and other abuses, which we have done at large and returned by Mr. Pester, wherein it will appear that the woodward [and his] father have cut down above 4,400 timber trees, by what warrant we know not; let him produce his warrants. Our certificate is of the cry of many poor people set on work by the woodward in his Majesty's service, to whom he owes some 5*l.*, some 4*l.*, some more some less, and the poor people are ready to starve, having nothing but their labour to maintain them. You never did a more charitable deed than you shall in speaking a good word for them, who will pray for you. If you think not fit for you to do it, I will send it [the certificate] to Mr. Hinton or some other, but I had rather you did so good a work. P.S.—The woodward is selling his place and out of the money he is to receive the poor men may have their wages if the Lord Treasurer be pleased to help them. [2 *pp.*]

Oct. 20. Hamburgh. 26. John Dury to [Sir Thos. Roe]. Since my return from Bremen and the neighbourhood, where I spent a month, I find two of your letters waiting for me, one dated Aug. 22, the other Sept. 18. In the first of these you discourse concerning the motion I made about Mr. Warren and what difficulties might arise therein in respect of my Lord's Grace [of Canterbury] concerning my way of proceeding spiritually in a spiritual work and what difficulties I must meet with from outward wants and Lutheran stiffness; also concerning the public distractions, which are increased since my countrymen came into England. In the second I find a clearing of a mistake of mine in some words in your former letters, a new scruple concerning the exchange of places with Mr. Warren, and large encouragements of hope that I may come to a settlement, if I do not precipitate my work. First, I must ingenuously confess that your constant affection expressed so ofttimes unto me, and now chiefly your care for me, is a strong tie to me to yield to anything your wisdom shall find expedient; it is also a great encouragement to my spirit to proceed in the resolutions whereunto God's providence seems to lead me; for I must conceive of your care over me, so as to think you to be His instrument in the advancement of His work, which I hope He has begun or at least prepared by my poor endeavours and your favourable countenance. Therefore I should be much to be blamed, and act against conscience and reason, if I did not highly

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esteem this assistance, which no doubt God only moves you to give me for His work's sake. Now to answer the particulars above mentioned, before I give an account of my proceedings, I confess that in my business with Mr. Warren, only hitherto intended and not yet motioned, it is not expedient to put my Lord's Grace to any obligation towards rewarding him for changing places with me; but my purpose was to give him as much out of my living as he received here, and rather to mend than impair his means. I imagined also perhaps he might desire rather to reside in England near his friends, and the opportunities of preferment, than to be here; and chiefly that he would make no difficulty of doing anything he should find acceptable to my Lord of Canterbury's will. Therefore I moved you that his Grace should be entreated to call him hence, only that there might be no difficulty on his side, that when he should find all things in England equal to that he has here, the overplus of my Lord's Grace's will might without contradiction cast the balance; without any intention that he should be rewarded for accepting as good means in England as he has here: whence you may gather that the thing mentioned in your second letter concerning the same purpose is resolved, for when I give Mr. Warren out of my parsonage 50*l.* a year and receive as much here, I lose nothing but get the overplus clear, and save the charges of a curate which now I am at. True it is that I humble myself to serve the cure in another place to save that charge; but I have armed myself with a resolution to think nothing too low for me which is substantial in God's service and expedient for my present work. But seeing my drift in this matter was only to have a subsistence here, where I think the centre of my work lies, and I thought thus to procure this subsistence by my own pains in God's service, which is a thing I cannot be ashamed of, without difficulty or scruple; seeing this was my drift and I thought to compass it this way, which I find not so easy as I imagined, I will not further insist on it, nor speak of it to Mr. Warren till I hear further from you. But another project comes into my mind wherein I would be loath to be seen, though it be approved, and it is this: seeing once Mr. Elborough had a mind to remove hence and return to England, and I verily believe his mind is not altogether altered, but that he would accept a benefice of the same value in England, of the King's gift, which might be exchanged for this; what if his Grace should be moved to procure him such a benefice in case he would resign this to me? By this means his Grace would gratify me and him both and this motion perhaps would not be too low. But I will not be immediately seen in it towards Mr. Elborough, although I think I have very evident grounds to suppose he will be very willing to embrace such an offer. The reason why I would not be immediately seen in it towards him is a scrupulosity of conscience in matters of spiritual callings to be observed; and a fear of jealousy being stirred up in him, as if I sought [it for] myself rather than the public good. I leave this to your consideration and will not do anything in either project till I hear from you; for though I desire not to be seen in the latter, yet I think I could cause it to be so insinuated to him by others that

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he should not refuse the proffer. And so I have done concerning Mr. Warren and my settlement here so long as the circumstances of my work shall require it. I will briefly touch the rest of the matters above mentioned. I confess that till the work be countenanced by authority it cannot be effected; but yet I uphold that neither policy nor power, the two legs of authority, can make it take effect without that preparation of the minds, and method of working, which by spiritual policy and strength is able to conquer the souls of men, and bring them to yield willingly for conscience sake to the duties of righteousness in the profession of the Gospel. This spiritual policy consists in the observation of the rules of brotherly love for mutual edification; and the power whereby it worketh and constraineth the spirits of men to yield is that unblameable simplicity and impartial humility by which it ought to be applied to all sides that are at variance one with another. As for the matter of poverty, which is contemptible more than pitiable in this world, I confess it is an outward impedient in the way of proceeding, except God arm a man with strength to bear it; but if wisdom and courage be obtained to make use of poverty for the end for which God sends it, then it is no more poverty but riches, and will profit the negotiation of a spiritual work much more than competent outward means wherein flesh and blood can find content. As for the Danish and other Lutherans, I know they all seek their own end, but there is a possibility of proceeding with them to prevent the inconveniences which arise from the same, and to correct that stiffness wherewith they cleave to Luther and to their belly, which is the great idol of many more than of the Lutherans. As for the public distractions proceeding from my countrymen's coming into England I can but deplore them, and hope that the nearer matters draw to an extremity, the nearer we shall be to a change for the better. The mistaking of your words I acknowledge, and crave pardon if I made any other inference on them than I ought to have; I am resolved to attend in patience the will of God, because I have a feeling of public calamities. I shall therefore be very loath to precipitate anything, not so much because I receive encouragements and may hope for more benevolence than I deserve and greater bounty than I desire, but because I know God's work cannot be hastened before its time. You may be confident that if I can but have meat, clothes, and lodging without being in debt, and not want what is requisite for printing some things for distribution, that I shall be as contented as any man that has ten thousand a year, but if I cannot have this without contracting debts, then I will rid my hands fairly of the negotiation till God show a time more seasonable or send more countenance to the work. I must give my Lords [Bishops] of Exeter and Salisbury an account of the use I have made of their letters to those of Bremen, but I cannot do it now. I hope when I go thither again next week, for I purpose to pass a great part of this winter there, to let them see their labour has been well bestowed. A word of my proceedings; I must acquaint you with the inclinations I find stirred up and which I study to entertain in the Archbishop of Bremen and his chancellor, Dr.

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Rheinking. When I passed by last he expressed great respect to me and brought me to the Prince's table, where, after dinner, we had a great deal of discourse, wherein I cleared some of their jealousies and got their consent to this, that although at last nothing will be effected without the concurrence of authority to settle things by a meeting, and that such a meeting cannot be hoped for as long as all states are thus in combustion, yet nevertheless this kind of impartial solicitation is of very good use to ripen matters and discover the remedies of difficulties which otherwise will never be conquered. After supper the Prince discoursed more than two hours alone with me about the ways of proceeding in this work, in several cases which were supposed might fall out, and because he had not seen my answer to the judgment of those of Copenhagen I sent him next day a copy thereof. His Chancellor seemed willing to employ himself towards those of Marburg and Wittenberg to give me address to work upon them as much as is now wrought upon the divines of this Archbishop's diocese, for although they will not take upon them to lead the way to others, yet they encourage me to proceed and profess a readiness to follow, and actually are at peace, and in good correspondence with those of our side in Bremen. I dealt also with the pastors of Stade and Buxtehude, who if they be as good as their word will give occasion to other Lutherans and to us also to entertain further these thoughts. The chief minister also of this town told me this morning I should without fail have their answer, and that they intended, together with those of Lubeck, whose bias in answering I have a little rectified by way of prevention of late, to give me their declaration; thus I keep their minds in a fit temper, and that is all I can now intend, only I have, when last at Bremen, given a small paper to the press, wherewith I purpose either to take my leave of the public agitation of the work till a fitter time, or else lay a ground to set the work forward if it be not found unseasonable. I have sent Mr. Hartlieb an English narrative of my proceedings since the beginning, I know not what use he will be able to make of it if there be no Parliament, but if a Convocation be held at the Parliament, and this work be taken into consideration, it will not be amiss to make it common. Yesterday I sought Kniphausen, but found him not, so could not deliver your salutations to him. Lieut.-General King goes for Sweden next week. The armies of both sides are retiring to their winter quarters, hunger and desolation have separated them. I have not been very inquisitive of the passages of Ratisbon, but I hear the pass-ports are given "pro omnibus quicunque venire voluerint," and that it is offered to the foreign kingdoms interested to choose a place to come to, either Frankfort or Nuremberg. There is also some talk of an armistice for the better advancement of the treaties. God grant at last a true beginning and meaning of peace in the Austrian counsels, but I am afraid they will not sit down with their losses, and I see no appearance of their recovering them by a treaty of peace. [4 *pp.*]

Oct. 20. 27. A note of how the gunners in the Tower are to be divided into their respective charges, and how the pieces in the Tower are to be

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mounted. The number of cannon in the White Tower is 21 in all; the mortar pieces to be likewise mounted on the White Tower. [2 *pp.*]

Oct. 20. 28. Draft of the above, chiefly in pencil. [3½ *pp.*]

Oct. 20. Warrant of the Council of War to Thomas Falconberg. To issue upon the Privy Seal of 11th Sept. 1640, to Capt. Henry Yonger, comptroller, and to Henry Bludder and Edward Dankaert, gents. of the Ordnance for the train of artillery for the south parts of this kingdom, one month's pay, accounting 28 days to the month, for their several entertainments respectively, viz., to Capt. Yonger 11*l.* 4*s.* 0*d.* being at the rate of 8*s.* per diem, and to Bludder and Dankaert 5*l.* 12*s.* 0*d.*, at 2*s.* apiece per diem, which pays or entertainments are to be accompted for from the 15th present. [*Minute.* ⅓ *p. See Book of Council of War, vol. cccxcvi., p.* 352.]

Oct. 21. 29. Petition of Paul Prestland, parson of Market Deeping, co. Lincoln, to the Council. Francis Taylor, one of his Majesty's messengers, being commanded by this Board this term to bring in Thomas Parker, who was committed to his custody last Michaelmas term, and whom without order he set at liberty, not only disobeys your order, bidding petitioner go seek Parker himself, but abuses petitioner, scoffing at him by the name of parson, to the great contempt of his calling. He therefore being a poor clergyman casts himself at your feet, craving that Taylor may not add this affliction to his misery, but that he may be relieved against Taylor and Parker, who combine not only to undo petitioner, but to insult over him, now they have done it by staying him so long here near four score miles from home, which journey they have made him take five times, and to wait upon them now a whole year about this business. In all which petitioner craves the continuance of your favour for an end. [1 *p.*]

Oct. 21. Ripon. 30. The English Lords Commissioners appointed to treat with the Scots to the King. The Scotch Commissioners are not fully and finally satisfied with the security which we have been yet able to propound to them for the raising of the 850*l.* a day which was the contribution formerly settled by the country with them. But finding that they are very clearly dealt withall, and that all possible endeavours are used for their satisfaction in this point, they think it fit to represent the true estate of the business unto those of Newcastle, and in the interior, although their instructions be not to enter into the main treaty until the competence of their army be fully secured, yet for the gaining of time they are contented to enter upon a debate of their demands, and so to prepare them that they may be in a readiness for a conclusion when they shall receive powers. This day we shall give a beginning to that work, but considering the multitude of the articles, the intricacy and difficulty of many of them, and that divers of them cannot be settled before the Parliament meet, the time for which approaches so fast that there will be few days left to be employed in the settling of this treaty,

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before there will be a necessity for us to undertake our journey towards the Parliament, we have held it our duties to represent this straitness of time to you, with our most humble opinion, that as you were formerly pleased that this treaty might have been transferred from Ripon to York, so you will be now pleased that it may be transferred from hence to London, without breaking or dissolving of the treaty, and that you would give us power to treat and settle the said removal with the Scotch Commissioners. One thing further we presume to represent to your Majesty, which is the present opening of the ports, being a thing as much desired by your subjects of England as by the Scots, and that it is already agreed by the articles of the cessation and likewise assented unto by your Majesty by the advice of the Peers, that both the ports and trade by sea and land might be set free upon the first entrance into the treaty. Many other reasons there are, especially concerning the coal, which are represented to us both for the benefit of London and the rest of the kingdom, by which it is made apparent to us, that much more disadvantage would redound to your good subjects than to the Scots, if any such stop of trade should be continued. [*Printed in Rushworth iii., p.* 1303. *Copy.* 1⅔ *p.*]

Oct. 21. York, 12 at night. 31. Sec. Vane to Sec. Windebank. His Majesty being now upon his return southward, and myself being commanded by him to go to-morrow to Ripon to the Commissioners and to return hither at night, I have only time to tell you that to-day I received yours of the 19th, and to transmit the enclosed papers [*see Oct.* 18, *No.* 15; *Oct.* 19, *Nos.* 18, 19; *Oct.* 20, *No.* 23; *and Oct.* 21, *No.* 30,] to you, by which you will see how the treaty stands at present. I thank you for advertising me of the Danish ambassadors' exceptions, though he [the eldest son of the King of Denmark, *see Oct.* 19, *p.* 181] has the same titles given him as his Majesty gives the Prince of England or the Infante Cardinal, for to them is given "*Celsitudo,* not *Serenitas;*" but I will to-morrow send you another letter and if the ambassadors be gone it may be sent after. [*Endorsed:* "Received [Oct.] 23rd, at 7 at night." 1 *p.*]

Oct. 21. Notes by Sec. Windebank of his proceedings in the King's absence. [I wrote] to his Majesty with one from the Queen, and another from Archbishop [Laud. I also wrote] to Mr. Treasurer [Vane]. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 3 *lines.*]

Oct. 21. The Downs. 32. Sir John Penington to Nicholas. Having occasion to send this bearer, my servant Vale, to town about some businesses, I desire you to let him have recourse to the little cabinet I left with you, to take out and put in some writings. If he bring any money to you pray lay it safely up for me till I give order how it shall be disposed of; or if he have need of your advice in putting out any for me pray afford it him so that it may be placed in safety. I long to hear what will become of this great treaty; I fear they [the Scots] will but delude us with delays, till they can find some advantage against us; for I have no faith in them. [*In dorso, the following notes by Nicholas:* "Dr. Cosens, dean of Peterborough. The King

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expected on Wednesday. Duke of Lennox's son is dead. Parliament holds. The Lord Admiral will be here this week." *Seal with arms.* 1 *p.*]

Oct. 21. Star Chamber. 33. Examination of Mrs. Barbara Black. She saith that she, Dr. Seaton, and Mr. Leviston were at cards in her house one day this month, she remembers not the exact day; and while they were at cards Lady Willoughby, daughter of Bishop [Thornborough], of Worcester, and one Mrs. Melvin, came in. Upon reading of a ballad by Dr. Seaton she said that she heard that when the King's shoemaker was before the Council the Earl of Dorset said he deserved to have his nose slit; but examinant denies she ever said she hoped his Lordship's nose would be first slit, or anything to that purpose. She says there were some jesting passages upon reading the ballad, of which she did not take any notice. She does not remember that she then spoke any word concerning the Archbishop of Canterbury, but Dr. Seaton did say he was shortly to go to him. Examinant saith this is all she remembers touching the business expressed in the paper read to her at the Council Board. Examined by the Lords' command by me Edward Nicholas. [1 *p.*]

Oct. 21. 34. Note of the names of "merchants at the meeting for settling the rates," being a list of the names of 14 merchants. [$\frac{2}{5}$ *p.*]

Oct. 22. Ripon. 35. [The English Lords Commissioners treating with the Scots to Lord Keeper Finch.] We conceive that both our letters and the papers of the Scots have not been rightly understood, for in our letter we signified that the Scottish Commissioners were not fully and finally satisfied with the security which we have been yet able to propound to them for the raising of 850*l.* per diem, but finding that they were clearly delt withall, and that all possible endeavours were used for their satisfaction in this point, they thought it fit to represent the true estate of the business to those of Newcastle, and in the interior, although their instructions be not to enter into the main treaty until the competence for the maintenance of the army be fully secured, yet for the gaining of time they were contented to enter upon debate of their demands and so to prepare them that they might be in readiness for a conclusion when they should receive powers, and your Lordship will find the Scottish paper of the 20th October to speak to the same tenor, so that his Majesty cannot expect any resolution in the point of the main treaty until the return of the Scottish powers which they have sent for; in the meantime we go [on] preparing all things for the expediting and facilitating of the treaty. We conceive that nothing will so solidly settle and bring the main treaty to a happy and perfect conclusion as that the treaty be transferred to London, where we may be near to his Majesty's directions. [*Printed in Camden Society's volume "Notes of the Treaty of Ripon," Appendix No. vii., p.* 81. *Copy.* 1$\frac{1}{2}$ *p.*]

Oct. 22. 36. Another copy of the same. [2 *pp.*]

Oct. 22. York. 37. Thomas Earl of Strafford to Edward Viscount Conway. The treaty at Ripon is now so advanced I conceive it will be necessary

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for you to be there; wherefore I would have you be there to-morrow early to assist the Lords and propound such things to their consideration as shall be fit for his Majesty's service and army, at which time, for your better advice and assistance, Sir William Ogle and Sir John Paulett shall be there to attend you. [1 *p.*]

Oct. 22. Modern copy of the same. [*On same paper as Oct.* 1, *vol. cccclxix., No.* 7. ½ *p.*]

Oct. 22. 38. Petition of Nicholas Eckles, now mayor, and others the Aldermen and Burgesses of the Corporation of Higham Ferrars, co. Northampton, to Edward Earl of Newburgh, Chancellor of the Duchy of Lancaster. On Monday after St. Luke's Day, according to our charter, we met at our town-hall to elect the succeeding mayor, and Nicholas Eckles being present mayor did nominate and elect according to custom Thomas Rudd to succeed him; whereupon some, prepared to disturb the election, in a tumultuous way proposed new doubts not heard of before, and brought things to such confusion we could not proceed, and the Mayor, to preserve the peace of the Corporation, adjourned the court to the house of an elector, not then present through weakness, that by his voice the election might be cleared. Notwithstanding the Mayor's entreaty, the troublesome party refused to accompany him to the place adjourned, and gave out that they had elected Twyford Worthington to be mayor and have sworn him by John Saunderson, who pretends to be steward there. As we are the major part and have proceeded peaceably according to our charter and custom we beseech you speedily to command the swearing of Thomas Rudd according to our lawful election, which has been hitherto refused by Saunderson. *Underwritten,*

38. 1. "*I hold it fit that Mr. Attorney General and Mr. Attorney of the Duchy be attended in this business, whom I desire to take it into consideration, and to come prepared with their advice touching it to-morrow morning to the Star Chamber, where this business may be represented to the Lords, and they may be moved to give some directions therein. E. Newburgh, Duchy House, Oct.* 22, 1640." [1 *p.*]

Oct. 22. 39. The will of Alice, wife of Sir Edward Savage, of Chingford, Essex, giving her soul to Almighty God, and her body to the earth to be buried in the Old Jewry near her late husband, Robert Campbell. She bequeathes to her present husband 1,000*l.*, on condition that he do not molest her executors in the execution of their trust, to her daughter Alice Campbell 500*l.*, to her brother Solmes 20*l.*, to her brother Garfoote 10*l.*, to her friend John Harmer 30*l.*, the residue of her goods to be sold and equally divided amongst all her children, but the money to remain in the hands of John Harmer till her daughter Susan be of age, he to employ it for the advantage of her children, paying them the yearly interest and only deducting for his pains 20*l.* a year. She appoints her sons James and Thomas Campbell and John Harmer her executors. Witnessed by Alice Morrice and Alice Campbell. [*Copy.* 1½ *p.*]

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Oct. 23. Our Manor House in York. 40. Grant to Lawrence Loe of the place of waiter at the Custom House of the Port of London, in reversion, to succeed Lawrence Newman whenever he dies or is removed. [*Signed but not sealed.* ½ *p.*]

Oct. 23. Ripon. 41. The English Lords Commissioners to the King. We have received a letter from the Lord Keeper [Finch], wherein he expresses that you will transfer the treaty with the Scots from this place to London if we so advise, and that you expect us to-morrow at York, for which we return you most humble thanks, and it is our unanimous advice that it will most conduce to your service so to do, therefore we beseech you to give us power to settle with the Scots all particulars concerning the removal, whereby much time will be saved, and the proceedings in the treaty for the future put into a certain way. If we may receive your pleasure herein to-night or early in the morning we shall be able to give you an account of this as of your other affairs when we have the honour to wait upon you. [*Copy.* ⅗ *p.*]

Oct. 23. Ripon. 42. The same to Lord Keeper Finch. We thank you for your care in giving us so speedy an answer. We have now sent our advice to the King that we all conceive it most conducing to his service that the treaty be transferred to London. We entreat you to afford your assistance for expediting of this despatch, for if it be delayed we shall not well be able to reach York by to-morrow night, which would fall out very prejudicial to us in point of time for our journey to London. [*Printed in Rushworth iii., p.* 1305. *Copy.* ½ *p.*]

Oct. 23. York, at night. 43. Lord Keeper Finch to the Queen. Your Majesty I know has had from Mr. Henry Percy a particular account of the proceedings both at York and Ripon till the 22nd of this month. What has since passed I am glad none can give you so just a relation of as myself, because I have thereby the happiness of presenting my humble service to you, to whom no man stands more obliged or can be more ambitious of expressing it. Yesterday I received a letter from the Commissioners at Ripon of which I enclose a copy. This I presently acquainted the King with, and had his directions to answer it that night, which I did to this effect: that his Majesty never intended to hold the treaty at Ripon longer than their Lordships should think convenient for his service, the safety of the kingdom, and their own content; that he did and still does resolve to adjourn the treaty to London, but he forebore the declaration of it for a day or two that it might appear to be done with the more deliberation and chiefly that the Scots might thereby be the better induced to give a clear and full explanation of what they stood upon. That his Majesty expected them at York on Saturday [Oct. 24], when, if they should so advise, he would order the adjournment. This afternoon Sir Peter Killigrew, who carried my letter, returned with two letters from the Commissioners, one to the King and one to myself, of both which I enclose copies. His Majesty presently ordered me to draw an instrument which he signed, giving the Commissioners power to settle with the Scots all particulars concerning the adjourn-

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ment of the treaty to London. And by his Majesty's directions I also wrote them a letter, with which I sent the powers under his Majesty's hand, recommending the cessation of arms to their care and the endeavouring by all possible means before their coming from Ripon to get the Scots to set down their demands so clearly that his Majesty might know the uttermost of what they expected. Of these two I can send no copies, for as soon as I had written them they were sent to Ripon and will be delivered to the Commissioners to-night. I expect hereupon they will be here sometime to-morrow, and on Sunday afternoon I believe his Majesty will call the Great Council together, where, when the Commissioners have given account of their proceedings at Ripon, I can foresee nothing more to be done but for the Council to dissolve; and we may be coming towards London on Monday, where I can never hope for better content than in waiting on your Majesty and witnessing your health. [*Copy by Read.* 3 *pp.*]

Oct. 23. Star Chamber. 44. Notes by Sec. Windebank of the business transacted by the Council this day. That the City be put to it whether they will or will not [lend the rest of the 200,000*l.*]; that the time [of payment] may be certain, not to question the thing but the time. Now they have a latitude for time to divide that [150,000*l.*] into three [payments] which was before but two. The Lord Privy Seal acquainted the Board with the Lords' letters. If the City shall say they are not obliged, their own letter must be showed by which they are engaged, and the Lords [Commissioners] upon those letters have certified the King and the Council that it was granted. The letter to be delivered, the concession not to be questioned. The bringing of the delinquents [in the disturbance at St. Paul's] to justice; endeavour to apprehend them. Watches by day to be set, that the Lord Mayor may say no more that he knows nothing of it nor can help it. Strong guards of musketeers [to be set], especially about [St.] Paul's. [½ *p.*]

Oct. 23. Friday. Notes by the same of his proceedings in the King's absence. I wrote to his Majesty about the insolence at [St.] Paul's, and the rest of the City money, with one from the Lord Archbishop. I also wrote to Mr. Treasurer [Vane] to the same purpose and to the Marquis Hamilton, with one from the Lord Archbishop of Canterbury. [*See Aug.* 20, *vol. ccccxliv., No.* 45. 4 *lines.*]

Oct. 23. York. 45. Sec. Vane to Sec. Windebank. We are in as great a calm as you mention, the Lords are in the Star Chamber or at the Council table, for the Commissioners at Ripon have agreed on the cessation and the treaty is remitted to the Parliament, whither the Scots are to send deputies. To-morrow the English lords from Ripon are expected here, on Sunday I conceive they will report their proceedings to the Great Council, on Monday the [Lord] Keeper, with the Peers will take their journey southward, and his Majesty on Tuesday. For myself, by his Majesty's command, I am not to stir yet but to see the last man borne [hence]. The ways are so ill that

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I purpose not to ride post; by the eve of the Parliament I hope I shall get to Whitehall, sooner you are not to look for me. The Archbishop of York, it is thought, will not escape the sickness that has now seized him. His Majesty has made a difficulty of giving the Prince of Denmark [the style] "Serenissimo," but I have at last prevailed and you will receive it enclosed. [*Endorsed by Windebank*: "Received [Oct.] 25, at 2 in the afternoon." 1 *p.*]

Oct. 23. York. 46. Sidney Bere to the same. The letter for the Prince of Denmark mentioned in Mr. Treasurer [Vane's] letter will not go herewith, for his Majesty has referred to speak yet further with him about it to-morrow morning. [*Endorsed*: "Received [Oct.] 25, at 3 in the afternoon." $\frac{3}{5}$ *p.*]

Oct. 23. York. 47. Captain Thomas Dymoke to the same. Amongst the particulars I presented you with I forgot one, not thinking it worth mentioning, which is now objected against me to the hazard of my life and fortunes. It was a short discourse I made on the impossibility of an attempt on the whole army of the enemy, horse, foot, and cannon, with about 1,800 of our soldiers already beaten, many without arms, and all wanting ammunition. I said amongst certain commanders by me that such a charge upon the plain field must be inevitably the destruction of the men, and an increase of the first dishonour, which Sir Jacob Astley silently confessed by facing about and making his retreat to the horse. Some enemies of mine have secretly so incensed my Lord Lieutenant General [the Earl of Strafford], that though he knows me not, yet he pursues the business with all possible rigour; witnesses on both sides are examining, and all things preparing for a Council of War, as if the sacrificing my untainted credit, for my accusers themselves confess me not failing in any worthy action that day befitting the command I had, could silence all tongues that speak dishonour of that enterprise. Sir Jacob Astley who, I understand, is not free from question, and upon weighty causes, sits as president of the Council, yet I should not greatly doubt if my Lord Lieutenant's undeserved bitterness were [could be] sweetened by the speedy mediation of powerful friends, of whom I have none, unless you vouchsafe me so great a favour; by the next post, I will for your satisfaction send both the perfect copies of my Lord's articles against me, and my answers. I beseech your pardon sir for this blotted paper, but my most urgent business and the post's haste will not permit me to write it fairer. [*Endorsed*: "Received [Oct.] 25." *Seal with arms.* 2 *pp.*]

Oct. 23. Commissioners for Saltpetre and Gunpowder to Montjoy Earl of Newport. You are to issue 36 barrels of gunpowder at 5*l.* per barrel for replenishing the magazine in co. Lancaster, to be delivered to Robert Massy, of Warrington, or Thomas Browne, of Cheapside, London. [*Minute. See vol. cccliv., No.* 61, *p.* 14. $\frac{1}{5}$ *p.*]

Oct. 23. 48. Robert Jenkinson to Edward Viscount Conway. If all things could continue in the state they are with any safety to Lady Lee [Leigh] she would not trouble you at this busy time by pressing an

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alteration; but such is the necessity in this business that if the conditions be not duly performed and the security altered at the day, an advantage and title will be given to the heir to her great loss and the undoing of her younger son, whose estate wholly depends upon this money, which she desires you to take into consideration, and if possible to order your occasions that another agreement may be made before and perfected at the day, which is the only way to prevent the inconveniences of a forfeiture and to settle it to both your contents. This will be best done in London, and if you can appoint a time I will wait on you there. [1 *p.*]

Oct. 23. 49. Examination of Thos. Bankes, deputy to Robert Johnson, one of the messengers of the Exchequer, taken by Nicholas concerning his delivery of Parliament writs. He received 46 writs of which 12 were directed to sheriffs of counties and cities, 11 to earls, 4 to bishops, 5 to barons, 12 to the judges, 1 to his Majesty's Attorney General [Banks], and 1 to Sir Chas. Cæsar. All these writs examinant says he received at York October 3rd, late at night, from Mr. Thos. Benbow, one of the messengers of the Receipt [of Exchequer], and he stayed there till Monday Oct. 5th, to deliver some of them to certain lords and others who, he heard, were there; from which time he employed his utmost diligence in despatching the residue, and made no unnecessary stay in any place by day or night. Examinant, by a note under his hand hereto annexed, gives a particular account of the time and place of his delivery of all the writs received by him. He confesses he never demanded a post warrant for the more speedy performance of the service, nor had he any directions for the more speedy delivery of the writs for London and Middlesex than of the rest. Lastly, besides the writs committed to his charge as Johnson's deputy, he only received two others from the deputy for the messenger Bush, one for the Earl of Rutland, the other for the high sheriff of that county, which he undertook to deliver because it was little out of his way. [1 *p.*] *Annexed,*

49. I. *Particular note by Bankes of the times and places of the delivery of the writs entrusted to him.* [1½ *p.*]

Oct. 23. 50. Account of ship-money for 1639 levied and in the hands of the sheriffs. Total 11,636*l.*, making with 40,538*l.* paid to the Treasurer of the Navy, 52,174*l.* [1 *p.*]

Oct. 23. 51. Certificate by the Treasurers of the Navy what ship-money has been paid in to them upon the writs issued in November 1639. Total 40,538*l.* 9*s.* 2*d.*, remaining unpaid 169,861*l.* 10*s.* 10*d.* [1 *sheet.*]

Oct. 23. 52. Receipt by Ralph Crippes, deputy to Commissary Pinkney, for 4*l.* received from Philip Cook, quarter-master to Lord Grandison, for bread delivered for the use of that regiment out of his Majesty's store at Trinity House. [½ *p.*]

Oct. 23. Warrant of the Council of War to Thomas Falconbridge to issue to Francis Lord Cottington, Constable of the Tower, 200*l.* upon account towards the payment of the garrison newly established for guard of the Tower. [*Minute.* ⅓ *p.* *See vol. cccxcvi., p.* 353.]

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Oct. 24. 53. Lawrence Squibb, one of the tellers of the Exchequer, to [Thomas] Falconbridge. Pray let this gentleman have 70*l.* to pay the soldiers this day, being pay-day here [in the Tower]; I will come on Monday and set all right. [½ *p.*] *Underwritten,*

53. I. *Received of Mr. Thomas Falconbridge* 70*l. according to the above note. Ja. Acheson.* [4 *lines.*]

Oct. 24. 54. Certificate of Peter Heywood, a justice of peace for Middlesex, that James Rychant and Nicholas Ganton, gentlemen, of London, have voluntarily taken the Oath of Allegiance before him. [⅓ *p.*]

Oct. 24. 55. Information concerning the sacrilegious violence at Sudbury. The Generals were kept at Sudbury last Thursday, where Mr. Eden, of Trinity Hall, Cambridge, visited for Dr. Eden, commissary; they lay at the house of one Hodskins, who keeps "The Crown," an especial favourite, if not more, of Dr. Eden's, but a known rogue. Overnight, upon some distaste, he told them, if he held up his finger he could have 200 to back him against them. In the morning a libel was set up on the church gate against them; yet they proceed, and in the midst of the sermon Hodskins came in with a club, and a route of apprentices, say-weavers, and other rascals. So soon as the sermon was done they tear up the rails and arm themselves with the pieces. Thence they go to the visitors and get possession of some of their papers and presentments; and an apparitor endeavouring to recover a book, Hodskins fells him in the chancel. At length they escaped from the church to his house for their horses which stood there, whither most of the clergy followed to compose the difference. One, a grave man, detesting the heinous deed and deprecating it from their country, was rewarded by Hodskins with the names knave, fool, jacksauce, and at last kicked down the stairs and a cudgel broken over his head. [*Endorsed by Laud*: "The sacrilegious violence at Sudbury. Received Oct. 24, 1640." 1¼ *p.*]

Oct. 24. Woodhall. 56. Francis Dorvan to [Richard] Harvey. I have received your letter and 20*l.* of Richard Porter, which I have already paid out; but I want 10*l.* more to discharge all besides Mr. Fish's money. Lady Newport makes ready to go hence next Saturday, Sir Kenelm Digby will be here to-night and stays till my lady goes; she wishes to give him good entertainment, and therefore she having but a small store of plate is the cause I do not send the plate trunk away to-day; but if she go on Saturday, after making it very clean, I will send it on Monday, with her trunks. I would willingly see the pump work finished before I go hence, but let my master and mistress send word where the money shall be had to pay the workmen. I have already laid out 20*s.* to the diggers of the trenches. I pray desire Mrs. Dorothy to send back, when the coach comes for the children, the blanket the two great silver dishes were wrapt in, and the long embroidered cushion which is at Lady Newport's. Mr. Philip, Mr. Gibbs, and Mrs. Mary send love. [*Seal with device.* 1 *p.*]

Oct. 25. York. 57. Sec. Vane to Sec. Windebank. I now send you the Prince of Denmark's letter *in forma* and desire you to present it to the

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[Danish] ambassadors. All I can say of the treaty more than in my last is that the cessation of arms is not absolutely concluded, wherefore his Majesty cannot leave this place before Wednesday, though by your despatch I received to-day I find it more than necessary his Majesty and the nobility should be with you at London. God send a good end to these distempers for the disease grows high. [*Endorsed:* "Received [Oct.] 27 by Rogers." 1 *p.*]

Oct. 25. From my "quarter at Ayton." 58. Colonel Robert Monro to Sir John Conyers. Requests him to restore to Lady Edington the clothes, furniture, and beasts his garrison plundered her of; which robbery is the more strange to him as no Scot ever wronged an English lady, gentlewoman, or waiting maid either in peace or war. [*Addressed:* "For the worthy Cavalier the Governor of Berwick, Sir John Conyers." 1 *p.*]

Oct. 25. 59. Edith Tyrrell to her cousin, Robert Read. She sends somewhat to furnish his closet, and to help pass these tedious winter evenings. Expresses her love and good wishes for him. [*Seal with arms.* 1 *p.*]

Oct. 26. Whitehall. 60. Warrant of Queen Henrietta Maria to the rangers of the forests and chases and the keepers of the parks within her jointure, or their deputies, to deliver one fee buck of the season in the summer and one fee doe of the season in winter out of all the forests, chases, and parks in their several charges, to Sir John Lambe, her chancellor, and keeper of her Great Seal; as has been formerly granted to former chancellors of herself and her predecessors, the Queens of England. [*Endorsed by Sir John Lambe:* "Draft of a warrant for a buck and doe." *Strip of parchment.*]

Oct. [26.] 61. Petition of Thos. Hughes, on behalf of himself and divers poor workmen, to the Council. Petitioners have been delayed payment of the money due to them these 13 months and have spent above 60*l.* in seeking thereafter. Your Lordships have been certified [*see June* 28], and due consideration had by this Board, that 257*l.* 17*s.* 11*d.* was justly due to petitioners, and did on the 25th of this October order them to be forthwith satisfied by Henry Frederick, now administrator of Sir Thos. Thynne's personal estate of 30,000*l.*, yet he is refractory and refuses to make payment as you have ordered. Petitioners pray that in regard of his refractoriness you will be pleased to take such course for their satisfaction with reasonable costs as you shall conceive meet. [⅔ *p.*]

Oct. 26. Ripon. 62. Articles agreed on concerning the cessation of arms betwixt the English and Scotch Commissioners. [*Printed in Rushworth iii.*, 1306. *Copy.* 2 *pp.*]

Oct. 26. 63. Another copy of the same. [3⅓ *pp.*]

Oct. 26. 64. The like. [*This copy is dated Oct.* 23. 1 *p.*]

Oct. 26. The like. [*Written on the same paper as Oct.* 16. *See vol. cccclxix, No.* 113.]

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Oct. 26. York. 65. Ulick Earl of St. Albans and Clanricard to Sec. Windebank. A cessation of arms being agreed on, and the perfecting of the treaty transferred to London, we have little matter left for intelligence of public affairs. Having found such admirable patience in your Royal master, I shall with the more boldness presume upon yours by giving you some account thereof. Yesterday afternoon a very sharp encounter happened, in his Majesty's presence between the Lord Lieutenant [of Ireland] and myself, which lasted above two hours; and neither resolution nor memory failed me to express what could be objected against such a person by one so much injured as I conceived myself to be. The debate had this conclusion: I have recovered all my tenures and chiefries that were so much threatened to be taken from me, and the King will make good his former grant, which the Lord Lieutenant engaged to obey and to give direction for its despatch in Ireland; only it sticks upon this point: he, under pretence of service to the King, would have Athleague, a principal manor of mine in co. Roscommon, and give me land to its full value in co. Galway; and the King, as I conceive, more out of compassion to him in this conflict than any necessity of his service, requires my promise of this before he confirms his former order. I have yet absolutely refused it as contrary to his Majesty's instructions, and that if I admit of a breach in one part it may run over all and mangle my estate; for he would not particularly declare what other exchanges should be required for the advancement of that great service; and this concluded the conference for last night, to be renewed to-day. Present my service to Lord Cottington and impart to him this encounter of mine with his especial friend; and if he will not easily pardon this offence, I may grow desperate and be apt to commit the same fault often. [*Endorsed:* "Received [Oct.] 28, at 10 at night." 2 *pp.*]

Oct. 26. New College, Oxford. 66. Dr. Thos. Read to [the same]. Deplores the tumultuous times and the violence and treachery done under the name of religion. [*Endorsed by Sec. Windebank:* "My nephew, Dr. Reade." *Latin.* 1 *p.*]

Oct. 26. New College. 67. The same to his brother, [Robert Read]. Though for my own part I know my uncle's [Sec. Windebank] wisdom to be such that the University should not have suffered through his silence in the last Parliament, yet I have not the power of other men's opinions who are guided only by their own perverseness. Most of our Doctors and the principal men of the University were well inclined towards him, but I am informed that some higher power was directly or indirectly interested in the election of both the last [members]. However, I am glad the Puritan faction prevailed not. The late insolencies in London have given me small encouragement to come thither this term; besides, my year of silence not being expired, I had no inclination that way. I fear Sir Henry Martin's [Judge of the Court of Admiralty] speech, that he was going to the funeral of his profession, will prove to be prophetic, though in another way and by worse means. It is reported here that the Scots, notwithstanding the agreement for cessation from arms, have advanced with part of their forces to within 3 miles of the Tees; and that Cumberland and Westmorland, notwithstanding their late order for defence, are

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by this time in the rebels' possession. I can easily believe anything of perfidious rebels, yet these being but flying reports I doubt the truth of them. Some say there is a great mortality in the Scottish army, others affirm the contrary and that their forces increase every day, that their army consists now of almost 40,000, besides other forces behind ready to join them; and that for all this the Yorkshire trained bands are dissolved, so that the King's army consists but of 14,000. I cannot expect any good event of these matters, especially considering the tumultuous proceedings at home, which make me very solicitous for my friends; as for myself I fear nothing. I would gladly hear whether my uncle has compassed or endeavoured to be a member of Parliament. I suppose neither you nor he much desire it? [*Endorsed:* "My brother." 2 *pp.*]

Oct. 26. 68. Francis Read to the same, his cousin. I am sorry to hear that you not only miss the place [Hastings] which you desired but are maliciously slandered also. It seems that the opinion is grown general that whoever is not Scottishly must be Popishly affected, the brethren of corporations especially being verily stiff in this opinion; I fear not but you know and will use means to vindicate yourself from their base aspersions. Our burgess towns are busy about their elections, and to day is the choice (or rather the nomination, for they be the same as were members last Parliament), of the knights of our shire [Hants]. The town of Andover has most unexpectedly bestowed a place on Sir Henry Rainsford without any thought or suit of his, or, for aught I know, any of his friends. I am very glad of it, both because it comes as a healing plaster to divert his grief [at the loss of his wife], and by this means I have one friend more of the House than I thought. By some letters received this week, I fear I shall be forced to go to London next week, and because I cannot go thither, my wife's business being undespatched, but with intent to return, I am a humble suitor to you for a warrant to ride post, by which means I shall be the sooner conveyed up and down, if my occasions require. If it please you to send it this week I shall come the next and tender you my humble thanks. [1 *p.*]

Oct. 26. Berwick. 69. Sir John Conyers to Thomas Earl of Strafford. I wrote to you on the 24th inst. that one Gibson, a commissary general of the Scottish army, had passed this way into Scotland with the King's warrant, who, till I saw it, would have made me believe a cessation of arms was concluded, and order for traffic and commerce with Scotland. It has been observed that seldom has any man gone thither with the King's pass but some extraordinary thing has not long after followed to the prejudice of his Majesty's service, and no sooner is this man come into Scotland than [Colonel Robert] Monro appears with his forces within 4 miles of this town. He lodges at Etonn [Ayton] and the neighbourhood; he has with him both horse and cannon, but his strength I cannot yet know. He says he comes for reparation for the cattle we took awhile since in Scotland. In my former I wrote that, notwithstanding the treaty, those here who have intelligence with Scotland assure me

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that the Scots never intend to quit any place they possess in England, but endeavour to draw this conference to as great a length as they can, in the meantime to furnish themselves with victuals and ammunition in England and Scotland by shipping from the Low Countries and other parts, and what moneys they get they send thither for a reserve. The ships with money and provisions are not yet come. I hope you will approve of our keeping the two companies of train bands here at the King's charge till we see what will become of the treaty, at least while Monro is so near us. They send us not one penny towards their payment out of Northumberland. I send this letter by Mr. Hagerstone because I know not whether my last packets be passed safe or not, the first I sent by Mr. Conyers, the other from stage to stage. I sent also many days since a trumpet[er] to General Leslie to get a pass for the Marquis Douglas to go to the King, but hear not as yet of his return. Now I am informed the Earl of Argyle will be to-day with Monro. Herewith you will receive a letter [*see* Oct. 25, No. 58], which Monro sent me by a drummer and a copy of my answer to him. [*Endorsed by Sec. Windebank:* "Sir John Conyers to the Lord Lieutenant of Ireland." 2 *pp.*]

Oct. 26. Berwick. 70. The same to Edward Viscount Conway. I wrote to you and also to the Lord Lieutenant [of Ireland] on the 20th instant, beseeching the king's letters in favour of my nephew, Hume, to the Queen of Bohemia and the Prince of Orange; and on the 24th by a post in behalf of poor Captain Cowper's [Thomas Cooper's] widow, and hope they are both come to your hands. Same information as in the above letter to Strafford. I have long been promised money, ammunition, and other provisions by Mr. Treasurer [Vane] and the Lord Lieutenant, but as yet none arrives; we have no money for our next pay-day, which is to-morrow; and the enemy being so near our credit will be the less, though it was very little before. Alexander Gibson, the commissary, assured me there was a cessation of arms, and orders to open the sea ports for free traffic with Scotland and said he had a warrant for it. He thought I could not read as his chiefs cannot, but when I saw his warrant and found no such thing in it he told me I should receive such a one in a day or two. Those people are not to be believed. [2 *pp.*]

Oct. 26. Berwick. 71. The same to Colonel Robert Monro. Lady Elington [the Laird of Edington's lady] is much obliged to you for taking so long a journey for her sake this ill weather, but I pray give me leave to think what you say in that behalf is in compliment to her, and that some other design draws you so near this place. Perchance you like the English air better than that of Scotland, as those of your nation do at Newcastle. For the rest, what you write of the abuses done to the gentlewomen at Elington [Edington] are mere calumnies, for had any woman appeared there the house had not been touched, for such was the order there given, and therefore I know no gentlewoman wronged there, nor any ladies' ornaments taken thence, unless you account muskets, powder, and bullets a

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suitable wear for women. We are better disciplined than to wrong that sex as yours have often done in the Bishopric and Northumberland, where ladies' apparel and coaches have been taken and are at this time extant in Dunse; nor do we threaten gentlemen to make them draw in carts like slaves unless they bring in the contribution, nor kill infants in their mothers' arms with stones, when we have given them quarter, as they of Edinburgh did to those that marched lately out of the castle. When the Lord of Elington [Laird of Edington Castle] restores the sheep he himself drove away from within these bounds long since, and the insolencies are punished which your countrymen commit daily in Durham and Newcastle, whereas they promised they would treat the inhabitants as brothers, and when all they have extorted in the Bishopric and Northumberland is restored, I shall not fail to yield you a reason for the sheep and cattle taken by ours at Elington [Edington] and other places. Meantime, I answer your Scottish proverb with our English one, "That threatened men live long." And so desiring ever to be esteemed an humble servant as well of all fair ladies as of yourself and all gallant men I take leave. [*Endorsed by Windebank:* "Sir John Conyers' answer to Col. Monro." *Copy.* 1 *p.*]

[Oct. 27.] 72. Instructions signed by the King to Thomas Earl of Strafford, Lieutenant-General of the Army, Edward Viscount Conway, General of the Horse, and all the officers and soldiers of the army, for the better ordering the present service. You are to put all our army into winter-quarters in places best for the safety of co. York, the advantage of our service, and refreshment of the men and horses. Thirteen other regulations follow concerning the marching, billeting, and dieting of the soldiers, the officers constantly keeping with their men, punishment of deserters, the rates the army are to pay for provisions, &c. [2¾ *pp.*]

Oct. 27. York. 73. Another copy of military regulations to the same effect as above, the first order being omitted, and the following notice subjoined. These orders are by his Majesty's express command, and given at York the 27th of Oct. 1640. [1½ *p.*]

Oct. 27. Berwick. 74. Sir John Conyers to Sec. Windebank. [Colonel Robert] Monro has come to Ayton with 3,000 foot and horse and cannon, yesterday he removed to Morlington [Mordington], a mile and a half hence, where Sir James Douglas has a house, I was abroad with the horse then, and had an encounter with the Scottish horse, who had some musketeers with them, we beat them, killed two lieutenants, and some others without any loss to ourselves, and so retired. Argyle is daily expected on the Northumberland side, and many of their horse and foot in great and small troops come back from their army to join these chiefs. Yesterday three troops of horse passed through Wooler; perchance we shall have them on the Northumberland side to-morrow or next day; I have brought hither all the boats I could get on the Tweed, and the waters being high they cannot pass the river, else I believe part of these had been on Northumberland side

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ere this to besiege us. Mr. Treasurer [Vane] wrote long since of some ships that were to bring us money and provisions, but none come. I have written to him to send us money by a "five man" boat, for all here is spent. He wrote to me lately to be moderate towards them because the Lords are upon a good way of agreement, but they mean no such thing to us. I am of opinion his Majesty and all others believe they will not attempt anything during the treaty, but they intend otherwise, and as all those inform me that have correspondence with Scotland, they mean not to quit anything they have got, but to gain time by treaty to strengthen themselves at Newcastle and at home with money, ammunition, and other provision. Divers posts of theirs have lately passed this way to and fro, but I receive no letters from our army. I think they stay mine, and therefore I have stayed here to-day a quarter-master of General Leslie's going into Scotland with his pass, and signed by other lords also; he has many letters to Marquis Hamilton and others. All theirs that pass here tell me of a cessation of arms, but I believe it is to amuse me, for I hear it not from any of ours. I beseech you make this known to his Majesty. Although their packets pass I dare write no more the ordinary way, this comes by other means. [*Endorsed*: "Received 10th November." *Seal with device.* 1⅓ *p.*]

Oct. 27. Warrant to the Exchequer to give order to pay to Sir Paul Pindar, or his assigns, 4,000*l.* in satisfaction of his losses and charges about several sums of money heretofore lent to his Majesty. [*Docquet.*]

Oct. 28. North-Allerton. 75. Sir Foulke Huncks to Edward Viscount Conway. Here is one come from Mr. Dafuet for the horses belonging to the train of artillery that came with the last ammunition, but I shall not let them go without your order. Here has been speech of the Scots rifling Darintun [Darlington] and of foot and horse to be put in to Hartlepool, but my intelligencers have been out these two days and have not yet returned. P.S.—I beseech you think of Captain Cowper's [Thomas Cooper's] poor wife and children. [*Much damaged by damp.* 1 *p.*]

Oct. 28. 76. Deposition of Thomas Hughes, surveyor, John Harper, carpenter, and John Harpar, joiner, on oath, that on the 26th and 27th of this Oct. they attended Mr. Henry Frederick Thynn five several times and showed him the Council's order dated Whitehall, Oct. 25th, and left him a copy thereof; but he answered deponents that he knows not if the Lords' order be a sufficient discharge for him, and that he will pay them at his leisure, although the Lords' order requires him to satisfy them the 257*l.* 17*s.* 11*d.* on sight thereof. [½ *p.*]

Oct. 29. 77. Hen[ry] Ta[ylor] to Sec. Windebank. The motion I made to you yesternight was, that considering his Majesty of Great Britain has at present 10,000 men ready raised in Ireland, without making any use of them, that you would be pleased to treat with his Majesty to grant us these men, we giving a considerable sum of money in recompense of his charge in raising them. And that for carrying

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the business with less noise the grant might be given out to be 3,000 or 4,000 Irish, being the number granted last year to the French, and not any to Spain, and that afterwards, under colour of them, the rest might be had away to the number of 10,000, leaving still to your discretion to make use of any other means you shall think more convenient for compassing this our desire. [*Not signed or addressed, but endorsed by Windebank:* "Hen. Ta. proposition, 29 Oct. 1640." 1 *p.*]

Oct. 30. Note by Sec. Windebank of the King's return from York. His Majesty returned to London [to-day] and arrived at Whitehall about 4 in the afternoon. [*See Aug.* 20, *vol. ccclxiv., No.* 45. 3 *lines.*]

Oct. 30. Berwick. 78. Sir John Conyers to Sec. Windebank. I have nothing to say at this time but what I wrote on the 27th inst., but because that went by a slow messenger and this gentleman comes post I think this will reach you soonest. I hear to-day that the "Greyhound" has arrived at Holy Island with corn for us, but I have no news of money, and what we had is issued long since. The captains in part found means to satisfy their men last pay-day, but no man is provided for the next, and it were not good to pay the soldiers in victuals already, the enemy being at our ports. I beseech you inform my Lord Treasurer [Juxon] of the state we are in, that money may be sent us some way or other. I have written divers times to have a "five man" boat or two sent us; they are wonderfully necessary to pass between this and Holy Island, and so along all these coasts, especially now the enemy is round about us, whereas now for three weeks sometimes a bark cannot pass between this and the island; and by such a boat we might now be relieved. [Colonel Robert] Monro has with him above 3,000 men, and is strengthened daily from Scotland and from their army at Newcastle. They will block us up this winter, and if we hold out till spring they will approach upon us. Meantime, if they can, they will get our little fort from us, which we have begun on the Northumberland side, but for want of money, and the extremity of this ill weather, we are not able to finish, for it falls down in one place as fast as we make it up in another. In my opinion, Newcastle being possessed by the Scots, this place, Holy Island, and Hartlepool are places of wonderfully great consequence, and ought to be taken into consideration; for his Majesty may be assured that neither by treaty nor by any other means, except by force will they ever quit Newcastle or any other place they are possessed of, but during this conference and by all other means they will strengthen themselves with money, ammunition, and all other provisions both there and in Scotland, and therefore I wonder that lately many ship's out of Scotland and other places are suffered to come to them at Newcastle with provisions. Their posts and packets pass hence daily by the King's warrant, but I have not heard from Ripon or the army this fortnight. I believe my letters are stayed, for I have sent two messengers express and a packet by the post since I received a letter thence. I have written to my Lord Lieutenant and Mr. Treasurer [Vane] for more men divers times, but I see no appearance of any

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this winter and hereafter it may chance come too late. However, I shall not fail whilst I live to do my utmost. All this I have written to my Lord of Northumberland, but he being sick I beseech you make it known to his Majesty. P.S.—The Quarter-master [Gibson] of General Lesley's which came hither three days since to go into Scotland I kept here till to-day, but now I have let him go. The Scots give us daily alarms and our horse sentinels are often driven in, the like we do to them. [*Endorsed:* "Received 12th November." *Seal with arms.* 3 *pp.*]

Oct. 30. Cambridge. 79. Dr. John Cosin, Vice-Chancellor of Cambridge University, to the same. I understand by Mr. Maxwell that his business is not to be determined by his Majesty till his coming to London, and so not without an act of special Providence it is again devolved into your hands. I thought good to inform you of the poor gentleman's cause and to signify that the report we have made, rightly understood, is in many particulars rather advantageous than in any way prejudicial to Mr. Maxwell, who will make it appear plainly by the master's bond to which our report refers that the oath in their Statute is exclusive of Papal and not of a Royal dispensation. [*Seal with arms.* ¾ *p.*]

Oct. 30. 80. Account of ship-money for 1639 levied and in the hands of the sheriffs. Total 11,636*l.*, making, with the 40,848*l.*, paid to the Treasurers of the Navy, 52,484*l.* [1 *p.*]

Oct. 30. 81. Edward Fenn to Nicholas. There is come in this week since the last certificate 110*l.* 3*s.* 5*d.* ship-money paid by the late Sheriffs of Middlesex and 200*l.* by the Sheriff of Surrey. Total 310*l.* 3*s.* 5*d.* [½ *p.*]

Oct. 30. Receipt by Thomas Vyner for 70*l.* of Lawrence Squibb towards the monthly pay of the company of soldiers in the Tower. [*On the same paper as October* 24. *See No.* 53. ¼ *p.*]

Oct. 31. Indenture between the King on the one part and Sir Job Harby and others, his Majesty's tin-farmers, on the other, whereby the King releases to them 4,000*l.* per annum for the remainder of their term yet to come of their rent; their former rent of 16,000*l.* per annum being hereby abated to 12,000*l.*, with which sum they are to be charged from midsummer last. Nevertheless, the King hereby declares that the 1,000*l.* per annum which the farmers were to pay to the tinners of Cornwall shall be still continued during their turn if they so long hold it, with a clause to surrender their estate upon a year's warning if the King shall be minded to put the same to any others, who will give more for the said farm. [*Docquet.*]

Oct. 31. Presentation of Matthew Style, D.D., to the rectory of Wappenham, in the diocese of Peterborough, void and in the King's gift by reason of the suspension of the Bishop of Lincoln or otherwise, the King's pleasure being signified by the Archbishop of Canterbury. [*Docquet.*]

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Oct. 31. Westminster. 82. Certificate of Peter Heywood, J.P. to the Council, that Edward Filmer, of Westminster, and Edward Duke, of London, voluntarily took the Oath of Allegiance before him this day. [$\frac{2}{5}$ *p.*]

Oct. 31. 83. Certificate of the Alderman and Burgesses of Grantham, co. Lincoln, assembled in the Alderman's Court the 30th Oct., to the Commons House of Parliament, touching the organs lately erected in Grantham Church, and the placing of the Communion table as it now stands and railing it in. On promise made in a Court held by our late Alderman about a year ago, by Mr. Thos. Hurst and Mr. Robert Sanderson, doctors of divinity, and two of our established lecturers in Grantham, by appointment, as they then affirmed, of Dr. Farmery, Chancellor to the Bishop of Lincoln, that the organs then intended to be erected in our church by the Chancellor should not in any sort be chargeable to the parish for their maintenance or for an organist; and that if at any time after failure should be made in their maintenance according to their promise they should be removed; the alderman and burgesses of Grantham, the representative body of the borough, did with great thankfulness to the Chancellor consent to the placing the organs in the church. And to this day the parish has not been put to any charge for maintenance of the organs or organist. We further certify we are still very willing to have the organs used as they have been, viz., to accompany the singing of psalms after the plain tunes appointed to be used in the church, so that the parish be not in any sort charged for maintaining them or an organist; conceiving them in their own nature to be things indifferent; and finding by experience that by the use of them hitherto practised in our church, first the parish clerk signifying the psalm to be sung and the organist then distinctly playing the tune, all that can read have time to turn to the psalm; and the confusion which has sometimes heretofore happened in our church, a very large and spacious one, in singing psalms to divers tunes, is taken away. But we shall ever be willing to submit ourselves herein to authority. Lastly, we acknowledge that, understanding that some of our parish, after this our consent in Court, petitioned the Archbishop of Canterbury in the name of the parish to remove these organs, the then Alderman and some of the burgesses by letter informed the Chancellor thereof, that the Archbishop might be certified the truth. For the removing the Communion table, placing it as it now stands and railing it in, we know not by what authority it was done; but the present Bishop of Lincoln at his last visitation caused the Epistle and Gospel to be read at the Communion table placed as it now stands, and sat at the north end thereof and found no fault, nor gave any directions to the then church-wardens to alter it, so far as we know or ever heard. We further certify that it stands now much better than before for edifying the communicants, and for avoiding profane usage of it by boys and others in sermon time in sitting under it, playing or sleeping, and standing leaning the elbows on it in most irreverent manner whilst prating, to the offence of the congregation, which incon-

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veniences will hardly be reformed if the table be replaced in its old place. This we refer to your grave considerations and will ever submit to authority in this and all other matters concerning the church and pray for its peace. And whereas complaint was made by petition to the Commons House in the last Parliament, as we are credibly informed, against Mr. Edward Dix, one of our now vicars for setting the table altar-wise contrary to the Bishop's direction, and that he will not suffer any minister to preach on Sunday afternoons though the petitioners desire it at their own charge, we certify that upon his [Mr. Dix's] entrance on the vicarage the table stood as it does now and as the petitioners call it altar-wise, and he has not meddled with it. For the second [charge] our late Vicar and Mr. Dix have been, and Mr. Dix is still, willing to give way to a sermon on Sunday afternoons if the person therein employed with consent of our vicars be lawfully authorized thereto; but for any person to come in and preach at the cost of the petitioners, neither we nor our vicars think reasonable, and we trust no such matter will be enjoined us by the honourable House of Parliament. [*Endorsed by Lamb:* "Copy of the certificate, 31st Oct. 1640." 3 *pp.*] *Underwritten,*

83. 1. *Certificate by two public notaries that the above agrees with the original.*

Oct. 31. York. 84. Sir John Berkeley to Robert Reade. It is very true that being unprovided with any satisfactory course of life I had upon hard terms enough made an agreement with Sir William Beecher in case he could have leave to retire [from being Clerk of the Council], which I left wholly to him. After I had performed all the conditions on my part he made trial of his friends, but without success, to his great wonder, but not to mine; wherefore, to deal plainly with you as you have done with me, I had little hope my friends would or could do more than his, and therefore laid down all thought of that design; and being fully persuaded I can do myself no good herein, I am as fully resolved to do you no hurt, but would offer my best assistance were it worth it. Since it is not you shall have my best wishes that you may meet with better fortune than I did. [*Seal with arms.* 1 *p.*]

Oct. 31. Berwick. 85. Sir John Conyers to Edward Viscount Conway. I have no news but what the bearer will inform you of. I beseech you let me hear by him. I have written divers letters to you but had no answer. [*Seal with arms broken.* ½ *p.*]

Oct. Warrant of the Commissioners for Saltpetre and Gunpowder to Montjoy Earl of Newport, to issue 20 barrels of gunpowder at 5*l.* per barrel for replenishing the magazine in co. Dorset. [*Minute. See vol. cccl v., No.* 61, *p.* 14. ⅕ *p.*]

[Oct.] 86. The Remonstrance of the Lords and Gentlemen his faithful subjects of Scotland now present at York to the King, in the name and behalf of all your other subjects of that kingdom, wherever they are, which suffer under that rebellious faction which for the present bears sway there. We have now been forced twice to retire from

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our native country to avoid the persecution of our rebellious countrymen known as Covenanters, who have imprisoned your faithful subjects there and our good friends, who could not escape their fury, putting them to great ransoms and intolerable fines, because they, as we, refused to take unlawful oaths injurious to the supreme majesty of God and dishonourable to your Majesty. The Covenanters have since our retreat taken our rents, seized our lands and houses, plundered our goods, and pressed our tenants and servants to contribute money and victuals, or to serve in their armies, yea, some of them to besiege us, their masters and landlords, in our own houses, some of which they have burnt, and cut up our growing woods, which posterity will hardly believe, that their inhuman malice against us should extend to senseless creatures belonging to us. Last of all, they have presumed to promulgate an edict in the name of Lord Balmerino as president, and others his assessors, of that late forged Council of State, citing us all under pain of high treason to appear before them in Parliament the 19th of November next, to answer the points contained in that libel, which we entreat you to peruse with these presents. The true cause of persecuting us in this manner is that we ever refused to concur with their rebellious ways, to sit at their tables and other seditious assemblies, and to conclude with them on courses tending to the direct abjuration of your Royal authority, to raise armies to besiege your own Royal castles where your crown and other Royal ensigns were in keeping, and last of all to march with them to renew the ancient national quarrel by invading this your most noble kingdom of England. And whereas we understand they go about to make it believed they have done nothing which is not warrantable by the laws of that kingdom, we therefore represent to you these few points, extracted for the most part out of the aforesaid libel, omitting others as too tedious to pose them, desiring to be resolved by what law they have done or intend to do the same. 1. We demand therefore by what law they have published the said edict or libel in the name of Lord Balmerino and others who have signed it? 2. By what law they call themselves "Estates," a title the whole strain of that libel runs along unto, to the high disgrace of your Royal government? 3. By what law they held that sessions of Parliament in June last and enacted those statutes [*see vol. cccclvi., No.* 72], which they allege we have transgressed, they being prohibited by your Majesty so to do? 4. By what law, or what order from you, is the aforesaid Parliament adjourned or declared current till the 19th of November next? 5. By what law they can give order to heralds and pursuivants, your own immediate officers, to cite us to answer before them by virtue of that arrogant clause "our will is therefore, &c.," never before assumed or usurped by any but our Sovereign? 6. By what law they, at best our fellow subjects, make themselves supreme judges over us in these pretended treasons, since among equals there is no supreme authority? 7. By what law or precedent they ascribe power to themselves to dispose of our lives and lands, whereas undoubtedly whether we appear or not they stand with prejudi-

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cate minds to condemn us, intending not only to extirpate us and our posterity from our native country, but to strip your Majesty not only of one of your principal prerogatives but of the Royal casualties belonging to your crown, so impudent a check and so gross an affront to your authority stands unparalleled by the most obstinate rebels of former times. We forbear to trouble you with their late presumptions not reflected on in that libel, as their forbidding any of your subjects to go out of the kingdom without their licence, forcing them to lend their money and give in their plate to the mint by a similar edict, and other more odious matters of fact, such as invading some of us and our houses, whom they never cited to appear before them in any legal way. And as they will perhaps object that Lord Balmerino and his complices are authorized to do what is above excepted against by us by a late Act of Parliament, which they would have you believe that all men in that kingdom should be liable for reply thereto to omit what is expressed above; we here offer to stand to all Acts of any lawful Parliament that tend to clear the aforesaid points, without shifting or declining them in any sort, challenging them to make the like offer to us for what we can lay to their charge. But as for their late model, called the Constitution of Parliament, we absolutely decline it as diametrically opposite to our fundamental laws and primitive institutions of our Parliaments. In case the present treaty go on, we entreat most earnestly that they may be urged, for the above unanswerable reasons, to rescind the aforesaid edict, and that in case of peace or cessation of arms you will provide by an express clause in the treaty for us to return home and enjoy what it has pleased them to leave us, which is indeed little more than what they could not carry away, and that our friends whom they have imprisoned may be enlarged, and sufficient assurance given that we and they shall not in future be troubled as we have been for our loyalty to your Majesty. Lastly, as it is credibly supposed that they mean, peace being granted, to demand compensation for past losses sustained by them in maintaining their present quarrel, and in case your Majesty in your princely wisdom to appease these unlucky stirs, and to avoid the effusion of Christian blood, shall think fit that any sums be granted to that end, we protest that a competent share thereof by express provision ought to be sequestered to repair our excessive losses, which we will make appear by general and particular proofs. [2½ *pp.*]

[Oct. ?] 87. Petition of Charles Lord Lambert to the King. A cause is depending in your Court of Delegates concerning a pretended will of the late [Sir Richard] Lord Robarts, petitioner's wife's father, on which all petitioner's hopes of any portion with his wife depend. The cause was begun five years ago and finished two years since and the briefs on both sides, except some trivial part not concerning the main business, long ago examined and agreed on. Among the judges delegated in the cause by your special direction are some persons of great honour, as the Earl Marshal [Thos. Earl of Arundel and Surrey], Lord Cottington, the Comptroller of your Household

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[Sir Thos. Jermyn], the two Principal Secretaries to your Majesty [Vane and Windebank], and some others. Petitioner, fearing the cause may be so delayed that these judges will not be able to attend it, prays you to require them to sentence it this term, or within a fortnight after the end of term. [½ *p.*]

[Oct. ?] 88. Petition of John Baptist Stouppe, minister of the French Church in London, to the same. Petitioner obeys your Majesty's letter to the pastors and elders of his church, commanding them to discontinue him as their minister. Was not informed of your pleasure that he should not return to this country till after his arrival, or he should not have presumed to come back. Prays to be allowed to stay two months to settle his affairs. [1 *p.*]

[Oct. ?] 89. Petition of Jane Taylor, wife of John Taylor, prisoner in the Tower, to the same. Petitioner's husband has bestowed many years on your service and of late through his great zeal for it committed some indiscretion for which you committed him to the Tower. In your service, his charges being excessive, he contracted debts which he has not been able to pay, and his creditors had patience till this misfortune befel him, which makes them call very earnestly on petitioner, who knows not how to satisfy them, being greatly charged with children, and having very little means. She prays you to set her husband at liberty, that he may satisfy his creditors and support his family. [1 *p.*] *Annexed,*

89. I. *Petition of the same to the same. Petitioner's husband is so sensible of his offence he has become excessively melancholy, and she fears it will endanger his life, which would be utter ruin to herself and family. Prays for his liberty as above.* [⅔ *p.*]

[Oct. ?] 90. Warrant to [Thomas Earl of Arundel and Surrey, Earl Marshal], to draw up a commission to Mr. Henry Percy for raising a troop of 100 cuirassiers to increase the King's own guard. His Majesty further intends to join one of the troops of light horse to make his guard complete of four troops. [*Draft corrected by Windebank.* ⅔ *p.*]

[Oct. ?] 91. List of Commissioners for surveying the Bailywick of St. James, viz., Sir John Lambe, Lord Treasurer Juxon, Henry Earl of Holland, Edward Earl of Dorset, Edward Lord Newburgh, Henry Jermyn, Sir John Wintour, Sir Richard Wynn, Sir Thomas Hatton, Sir Chas. Harbord, Sir Henry Spiller, Peter Ball, Robert Long, and Justinian Povey; or any three of them. [⅔ *p.*]

[Oct. ?] 92. Sydrack Jorey to Algernon Earl of Northumberland. In these troublesome times I have presumed to make known to you the danger of home-bred mischiefs. Strangers in this kingdom have so provided themselves with arms, both here in London and other places, especially Ipswich, Yarmouth, and Norwich, where the French, Wallons, and Dutch are as many if not more than the natives, and

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exercise military discipline once a fortnight, if occasion happen, they may easily become a greater incumbrance to us, or at least aid any invader. This mischief may be easily prevented if his Majesty grant a commission to certain persons, with power to seize their arms to his use and the Oath of Allegiance be administered to them; and in case they refuse to take it they may be commanded to depart the land by a day limited, or receive such punishment by fine or otherwise as the King shall think fit. If I have offended herein I entreat your pardon. [*Endorsed by Windebank:* "Jorey, concerning the strangers' arms." 1 *p.*]

[Oct.] 93. Petition of Ralph Humphrey to Sec. Vane and Sir Thos. Jermyn. Petitioner being servant to Robert Mawer, milliner at Court, has received no wages for two years, so being forced to take course for his entertainment, his master is willing to resign his place to him for satisfaction, if it stand with your liking. He prays to be entered in the place of his master. [½ *p.*]

[Oct.?] 94. Petition of the Merchants Adventurers to Sec. Vane. The Lord Treasurer [Juxon] because an information is put in the Exchequer against us conceives the cloths [in his custody] cannot be delivered before we put in security in that Court to abide the judgment of the legal hearing, to which your letter directs. This course will be more chargeable than the duty demanded, and is the end aimed at by the detention of their cloths, and was open to us without so much importunity towards you as we have used. We pray you, as you have nobly begun to move his Majesty, the cloths may be delivered on bond to him, through the Lord Treasurer, yourself, or the Council, which though not very usual has been admitted, and is no less obliging than if done at the Exchequer. [⅔ *p.*]

[Oct.?] 95. Sec. Vane to [Sec. Windebank]. His Majesty would have you presently send post to Plymouth for Sir Nicholas Slaning to come hither post. He is to pretend it is on his own business, and none but himself is to know of his being sent for. [½ *p.*]

[Oct.?] 96. J. Wolley to [Robert Read]. My man's expenses for attendance on the Records to Berwick in 1639, and at York this year, were 85*l.* Sir William Beecher and Mr. Meautys waited on the Commissioners for Depopulations and it was no benefit at all to me; it cost me in paper, ink, &c. in three years nearly 40*l.* I beseech his Honour [Sec. Windebank?] to take it into his consideration and to give me such allowance for these services as he shall think fit. [1 *p.*]

[Oct.] 97. List of Bishops, Deans, and Prebends preferred by the Archbishop of Canterbury between 1628 and 1640, the dates of their appointments, and the bishoprics, deaneries, &c. to which they were preferred. [1¼ *p.*]

[Oct.] 98. Note of the number of preferments by the same, viz.: 25 congé d'élires to bishoprics commonly with letters of recommendation, 12 deans, 24 prebends; besides 115 presentations to livings by the Archbishop. [½ *p.*]

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[Oct. ?] 99. Paper entitled, "Advice tending to Reformation." Whereas his Majesty is informed that if he please the Bishops he shall please all England. That the contrary may appear it is thought fit by some of credit and near to his Majesty that both noblemen and gentlemen and ministers, every sort by themselves, complain of corruptions and desire reformation in several petitions, signed with as many hands of every sort as may be procured by the same, presented to his Majesty by some in name of the rest. The petitions to vary in words but agree in the desire of reformation to be according to the Word and all reformed churches about us, provided they do not expressly desire the removing of bishops, &c. It is to be wished that the Londoners by the Lord Mayor, or some other good means, would show themselves zealous in this respect. The ministers are also to stir up the people to a desire or liking of reformation as well in preaching as in praying against the superstitious ceremonies and tyranny of prelates, provided that it be performed in judgment and discretion. Some of the ministers are to be provided to dispute upon some propositions to set out the corruptions that be in the present. Also lawyers against the time of the Parliament are to provide and make ready penned statutes tending to this purpose, and others are to write some learned treatises against that time. Lastly, whereas the Archbishop says that of 8,000 benefices there are but 500 competent, therefore learned men must either lack competent living or else have more benefices than one. [1¾ *p.*]

[Oct.] 100. Petition of Stephen Williams, his wife, and children to the Council. James Davis having for many years conceived causeless malice against petitioner, he pretending a reconciliation with petitioner on September 28 last, drew him into an ale-house in Southwark, where Davis discoursing of the Scots entering this kingdom, petitioner replied that if they should come into England he doubted the Puritans would take part with them rather than with his Majesty; with which words Davis acquainted Dr. Featley, who committed petitioner to the White Lion, Southwark, whence he is removed to the Fleet, where he remains, destitute of friends and means. Prays to be discharged absolutely or on reasonable bail, being most heartily sorry if any misbeseeming or mistaken words did then or at any time slide out of his lips. [1 *p.*]

[Oct. ?] 101. Petition of Henry Grant, vicar of Stow-juxta-Threkingham, co. Lincoln, to Archbishop Laud. Theophilus Earl of Lincoln was ordered last term, and since monished, to pay 20 marks costs on the first day of Michaelmas term for deserting his former commission for a defence, which is not yet paid in; and he has deserted a second commission, and was lately on his own motion ordered to tender terms of submission to Sir John Lambe and Drs. Duck and Eden, which he has not done. And whereas petitioner has had delays in every part of his cause, which has depended since July 1637, though he has proved his articles by the petition and depositions of the parishioners and others, and by records out of the Registry of Lincoln Doomsday Book, the bag of Nones, the First Fruits, and the

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Augmentation Office; and as he was presented to the church by his Majesty above five years since, without a shilling from the tithes to sustain the necessary expenses of this his tedious suit before you, whereby he has incurred much debt, he prays you speedily to end the whole cause, and for ever to settle the tithes to maintain the service of God in the church, which the parishioners petition to have re-edified together with petitioner, especially since he finds it a church on record in the Conqueror's time. [1 *p.*]

[Oct.] 102. Information concerning the conduct of Mr. Wood, rector of Pepperharrow, Surrey. Being asked at a visitation held at Guildford 18th Sept. 1640 by [Dr. Mason], the chancellor of Winchester diocese, if he read the prayer appointed for his Majesty in this expedition against the Scots in time of Divine Service, he answered: 1. He knew not from what authority it came. 2. Since he heard the Scots were come into England he thought the prayer needless, because he had heard of an accommodation. 3. He prayed for the King in his prayer before the sermon, a copy whereof he said he was ready to show. Being further asked if he were resolved to read the appointed prayer hereafter, he said, as before, he thought it needless as the Scots were come into England for an accommodation. [*Endorsed by Laud:* "The Chancellor of Winton." 1 *p.*]

Oct. 103. Petition of William Sherman, of Marsland, husbandman, to Sir John Lambe. Petitioner first married one Sarah White, and after her death her sister by the mother's side, one Elizabeth Rawlings, widow, not conceiving he had offended the laws; but since he has been much troubled about it, and is now in the High Commission to his utter undoing, he prays you to stand his friend, that he may be discharged out of the Court, or he is like to be for ever miserable. [*Endorsed by Lambe:* "Wm. Sherman, incest with his wife's sister. Oct. 1640." 1 *p.*]

[Oct. ?] 104. Petition of the gentry and inhabitants of Cottingham, Swanland, and many adjacent villages, to Sir John Conyers, governor of Berwick. Petitioners last spring were piteously overcharged with the King's horsemen, who ate up the fodder for their cattle, and the meadows that should have yielded petitioners hay for this winter; and now Lord Conway's regiment has continued with us 11 weeks, filling our stables and eating up our scanty provision, so we cannot maintain our cattle for sowing our seed; besides many other insupportable damages and dangers to ourselves, our goods, and families. We pray you to ease our grievances by removing the said regiment to some quarter hitherto exempt from the burden of them. [1 *p.*]

[Oct. ?] 105. List of the several offices and receipts which are the chief sources of the King's revenue. [1 *p.*]

[Oct. ?] 106. Letter containing a dissertation on the causes of the Scots' invasion, the writer believed the question to be rather a king, or no king, than a bishop, or no bishop. The letter concludes thus: Leslie

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himself, if his story were searched, would be found one who, because he could not live well here, took up a trade of killing men abroad, and now is returned to kill, for Christ's sake, men at home. If you will have my opinion, I think their quarrel with the King is that which they may have with the sun, he does not warm or visit them as much as others. God and nature have placed them in the shade and they are angry at the King of England for it. [*Endorsed by Sec. Windebank:* "Northern letter," *but not signed or addressed.* 1½ *p.*]

[Oct. ?] 107. Observations [by Mr. Peirce?] concerning the Parliament. I wish the Parliament would reform two things: 1. The sitting of the Council on Sunday afternoon. 2. The having plays on Sunday night. The Lord Deputy of Ireland hastened the Parliament here, that this Parliament might be ended first, so that they might not appeal from the Parliament in Ireland to this one. That the Parliament here would begin with the Church and assure yourself, saith the speaker, all that lost their livings for not reading the King's book shall be restored; and then named Dr. Stanton, who lost a living of 300*l.* In particular Bishop Wren would be questioned. [*Endorsed by Laud:* "Mr. Peirce, my Lord of Salisbury's chaplain, lecturer at Covent Garden. He shall be parson and names a lecturer already, and then it will be the famousest place in England." ½ *p.*]

[Oct. ?] 108. Sermon by Mr. Morris, curate of Chelsea, on the verse "Blessed are the peacemakers: for they shall be called the children "of God," Mat. v. 9. [*Endorsed by Laud:* "Mr. Morris' Sermon." 21½ *pp.*] *Annexed,*

108. I. *A note of the places in the above sermon "which may seem to have given most offence and scandal to the auditory."* [2 *pp.*]

[Oct. ?] 109. Remonstrance of the ministers and elders of outlandish congregations in London on the breach of their privileges. On March 16, 1636, we were cited and appeared in Bow Church before Sir Nathaniel Brent, as Vicar-General to his Grace, assisted by Drs. Warner and Worrall, and Messrs. Holsworth, Baker, Nathaniel Sute, and others at the Metropolitical visitation, and two injunctions were imposed on us: 1. His Majesty and Archbishop Laud thought fit that as we are of the same religion as the Church of England we should also use the same Liturgy and discipline. 2. That it was his Grace's pleasure that all of our congregations of the second descent born in England should repair to their parish churches to hear Divine Service and sermons according to the Liturgy of the Church of England. This was a breach of the privileges granted us by Edward VI. and his Parliament, in the fourth year of his reign, expressly prohibiting any archbishop or officer to disturb us in the free exercise of our discipline, though it did not agree with that of the Church of England; and ever since confirmed by the succeeding princes, especially by his Majesty that now is, both by word of mouth and by a letter directed to the judges. These injunctions being urged on us, we answered that they were against our privileges, would destroy our

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churches, and bring persecution on the reformed churches in France. Time was given us till May 10th following, when we appeared in the dining room of Doctors' Commons before Sir Nathaniel Brent and other commissioners, viz., William Fuller, dean of Ely, Dr. Worrall, and Mr. Baker, where it was signified to us in the name of the King and Council: 1, that their gracious pleasure was to permit both us and our children of the first descent to retain our discipline as formerly; but 2, that all of the second descent born in England and so onward should resort to their parish churches where they dwell. [1 *p.*]

Oct. 110. Certificate of nine or ten clothiers of Kent, concerning the new discovery of dyeing wools with "calke." On the 20th of this present October Thos. Goade, Matthew Waldren, and Francis Blocke, clothiers, of Goudhurst and Marden, Kent, came to us professing by a new invention to dye wools in "calke" better than ever heretofore known; we caused them to prove their skill in our presence, and it succeeding as well as they had undertaken, being moved to it and by their entreaty, we certify that none in England ever attained to this cunning use of "calke" in dyeing wools, and that by this secret clothiers will be greatly benefited by more certainty in their trade, repairing generally the reputation which our clothiers, merchants, and drapers have lost at home and abroad. It will also save well nigh half the fuel formerly spent. *Underwritten,*

110. 1. *This certificate was underwritten by nine or ten clothiers of the above towns; and Sir John Scott heard three of them affirm in his presence their approbation of what they had seen done, they all in general affirming the invention to be new. They delivered their opinions to him that if it took success, as they conceived it might, there was not the like thing projected for the good of the Commonwealth in any king's days; but they prayed they might not be abridged of their old manner of working if it should not take effect. In Kent three vats have been set. This is the substance of the answer to the Commissioners' letters to Kent.* [*Copy.* 1 *p.*]

[Oct.?] 111. Information concerning the Queen's revenues derived from the manor of Epworth, co. Lincoln, part of Queen Henrietta Maria's jointure. [*In Sir John Lambe's handwriting.* ½ *p.*]

[Oct?]. 112. Notes by Nicholas relative to the tenure of church property and the value of leases, showing what effects would follow if the lands belonging to bishops should be granted to the king by Act of Parliament, and the lands belonging to deans, prebends, and chapters should be granted in like manner to commissioners to be disposed of to public uses. In such event the estates of all tenants of church lands who hold for three lives would be full one-fifth deteriorated in value. [2 *pp.*]

VOL. CCCCLXX. 113. ENTRY BOOK of MINUTES of PETITIONS and other PROCEEDINGS in the COURT OF WARDS extending from October 1640 to May 1641. [These entries are not strictly chronological, but in the order in which they occur in the MS.]

MICHAELMAS TERM.

Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Oct. 10. Devon, &c.	Anne Walrond -	Francis Lord Cottington, Master of the Court of Wards.	For the wardship of Edmund, son and heir of Edmund Walrond, her late husband, for time to return the office till next Hilary term, and for a commission to be directed to the escheator of Devon and others named.	Let petitioner have a commission de diem to find the office directed to the commissioners named, and the office be returned the first sitting in Hilary term next. 12 Oct.
Oct. 9. Kent.	Sir Edward Hales and John Austen, Committees of the body and lands of Edward, his Majesty's ward, son and heir of Sir John Hales, deceased.	Do.	For a lease of lands descended to the said ward by the death of Lady Christian Hales, his mother, part whereof she held as jointure and part descended in fee, &c.	A commission de diem decreed to find the office, returnable the 11th sitting in Michaelmas term next. 10 Oct.
Nov. 17. Oct. 12.	Roger Townshend, K.B., *v.* Tho. Curson, defendant.	—	——	——
Oct. 26. Oct. 9.	James Waad *v.* Will. Cole, &c., defendants.	—	——	——
Oct. 6. Essex.	George Speake, grandfather of the ward.	Francis Lord Cottington.	For respite to return the office after the death of Anthony Carew till the suit be ended, for he has been forced to prefer an information into this Court for bringing in the deeds and evidences which are out of his hands.	Let petitioner proceed with effect to the hearing of the cause, and after let him attend with a schedule, &c., and further consideration shall be had. 10 Oct.
Oct. 13.	Edmond Davyes -	Do.	Edmond Davyes, defendant at suit of John Davy and others, and having a decree passed against him last term, but his commitment suspended by my Lord, prays his Lordship to hear the decree read in Court, for it requires the performance of more than the plaintiffs desired, and more than his Lordship on a right apprehension of the case will conceive fit for him to perform.	Let this be moved in open Court and let counsel on both sides have sufficient notice to attend the motion. 13 Oct.
Oct. 12. Notts.	Thomas Marshall, gent.	Do.	For the concealed wardship of the heir of Wm. Bingham, who died 10 years since, seised of lands in co. Notts., whereof an office has been found against his Majesty; and therein divers lands are also omitted. Desires a "melius inquirendo" and a "que plura."	Let petitioner have several writs de que plura and melius inquirendo to find the office, returnable to me in Hilary term next. Fra. Cottington, 13 Oct.
Oct. 12. Co. York.	Dennis Cowling -	Do.	For the wardship neglected of John Shepheard, cousin and heir of John Shepheard who died about two months since, seised of lands in co. York.	A commission de diem to find the office decreed, returnable the first sitting in Hilary term next. 13 Oct.
Oct. 12. Brecon.	Charles Walbieffe, gent.	Do.	For the wardship concealed of Rees William, brother and heir of Thomas William, who died two years since, seised of lands in co. Brecon, whereof no office has been found.	A commission de Mandamus to find the office decreed, returnable in Hilary term next. 13 Oct.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereup on.
1640. Oct. 12. Bucks.	Thomas Heyborne -	Francis Lord Cottington.	Thos. Heyborne, the ward's uncle by the mother's side, petitioned to be admitted a competitor with Henry Francklyn, at the compositions for the wardship of Henry, son and heir of John Francklyn, the said Henry being the ward's uncle by the father's side and next heir if the ward die without issue; an office being found last vacation and therein a tenure of his Majesty.	Let petitioner be admitted a competitor, and attend when the wardship is to be compounded for, and he shall be heard. Fra. Cottington, 13 Oct. 1640.
Nov. 17. Oct. 13.	Roger Townsend, K.B., *v.* Will. Palfrey, defendant.	—	——	——
Oct. 31. Sept. 29.	Will. Bowyer *v.* Nich. Nicholls.	—	——	——
Oct. 14. Kent.	Mary Woodyer, widow, natural mother of the ward.	Francis Lord Cottington.	For the wardship of the son and heir of George Woodyer, who died three weeks since, seised of lands in Shorne and Cliff and elsewhere in Kent.	Commission de diem decreed to find the office, returnable the 12th sitting of this Michaelmas term. 15 Oct.
Nov. 19. Oct. 15.	John Rives *v.* Edmund Stevens, alias Peirce, and others, defendants.	—	——	——
Nov. 19. Oct. 14.	Tho. Rowland *v.* Tho. Langford.	—	——	——
Oct. 14.	Wm. Northcott -	Francis Lord Cottington.	By order of June 19 last committed to the Fleet upon a supposed contempt, which he hath satisfied, desires enlargement.	Let this be moved in open Court and let counsel on both sides have notice to attend the motion. 14 Oct.
Oct. 9.	John Cole - -	—	Made an affidavit coram Ja. Tooke.	——
Oct. 14. Salop.	Beatrice Freeman, widow, mother and committee of the ward.	Francis Lord Cottington.	For the lease of lands in Salop descended to Edward Freeman by the death, on 20 Sept. last, of Katherine Freeman, his grandmother.	Petitioner to attend with a schedule, &c. the 10th sitting of this Michaelmas term. 15 Oct.
Nov. 12. Oct. 15.	Humfrey Wingfield *v.* Robt. Vallence.	—	——	——
Oct. 13. Hereford.	William and Thos. Child.	Francis Lord Cottington.	For the wardship of the heir of Robert Parry who died three months since, seised of lands in co. Hereford. They formerly petitioned for this wardship to the use of the ward, but the commission was directed to some gent. who cannot be there, so they desire the commission to be renewed.	Commission de diem, &c. to find the office decreed, returnable first sitting in Hilary term next. 15 Oct.
Oct. 14. Suffolk.	Elizabeth Keeble, widow, natural mother of the ward.	Do.	For the wardship of Dorothy, daughter and heir of Stephen Keeble, who died three weeks since, seised of lands in Earl Stonham, Suffolk.	The like.
Oct. 15. Somerset.	Edith Brookman, widow, natural mother of the ward.	Do.	For the wardship of Richard, son and heir of John Brookman, late of Stanton Prior, Somerset, who died Sept. 20 last, seised of lands in Somerset.	The like.
Oct. 27. Oct. 17.	Joas Croppenbergh, *v.* Nich. Hawes, &c.	—	——	——
Nov. 14. Oct. 17.	CleereTalbott, LL.D., *v.* John Wentworth, Knight, and others, defendants.	—	——	——

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Oct. 15. Essex.	Mary Collin, widow, natural mother of the ward.	Francis Lord Cottington.	For the wardship of Wm. Collin, son and heir of John Collin, late of Broxted, Essex, who died 29 Sept. last, seised of lands in Essex.	Writ de diem decreed to find the office, returnable the last sitting in this Michaelmas term. 16 Oct.
Oct. 13. York.	Richard Thorpe -	Do.	For respite in returning the office after the death of John Thorpe, alleging that by reason of the troubles in that part of the country the escheator could not proceed to find it.	Let petitioner return the office and attend with a schedule the third sitting in Hilary term next. 14 Oct.
Oct. 14. Co. Lanc.	Katherine Heskyn, widow, natural mother of the ward.	Do.	For the wardship of Thurstan, son and heir of Nicholas Heskyn, petitioner's late husband, who died 23 Sept. last, seised of lands in Heskyn and other places in co. Lancaster.	Commission de diem, &c. decreed to find the office, returnable the second sitting in Hilary term next. 15 Oct.
Oct. 17. York.	Dorothy Francke, and Dorothy Boothe, widows and grandmothers of Geo. Boothe, his Majesty's ward.	Do.	For the person of the ward to remain with petitioner, Dorothy Francke, notwithstanding that Rosamond Boothe, the ward's mother, hath compounded for the wardship, and is since dead.	Let this be moved next Tuesday at compositions, and further consideration shall be had of the petitioners' request. 17 Oct.
Oct. 16. Cumberland.	Margaret Raper, widow, natural mother of the ward.	Do.	For the wardship of Margaret, sole daughter and heir of Thos. Raper, petitioner's late husband, who died Sept. 13 last, seised of lands in Bromfield, &c., Cumberland.	Commission de diem decreed to find the office, returnable the third sitting in Hilary term next. 17 Oct.
Oct. 17. Suffolk.	Dorothy Howe, widow, grandmother of the ward, and John Sparrowe.	Do.	For a lease of lands descended to the son and heir of Anne Hammond, who died above a year since, seised of lands in Suffolk; and also they desire respite to return the office after the death of Thomas Hammond, the ward's father, until next term.	Commission de Mandamus to find the office, returnable the first sitting in Hilary term next. 17 Oct.
Oct. 16. Suffolk.	Richard Bourne -	Do.	For the neglected wardship of the heir of Thos. Hudd, who died six months since, seised of lands in Syleham, Suffolk, whereof no office has been found nor suit made.	Commission de diem, &c. decreed to find the office, returnable as above. 17 Oct.
Oct. 16. Surrey.	Richard Evelyn -	Do.	Being desired before the death of the ward's grandfather by himself to petition for the wardship of Thos. Leaver, grandchild and heir of John Leaver, who died 1 Oct. inst. seised of lands in Surrey.	Writ or commission de diem decreed to find the office, returnable the last sitting this Michaelmas term. 19 Oct.
Oct. 19.	Joan Lewes, widow	Do.	To be admitted in formâ pauperis to prosecute a suit in this Court for recovery of her thirds; and that she may have Mr. Harbert, Mr. Bishe, and Mr. Platt assigned for her counsel, and Mr. Kittermaster for her attorney.	Granted and her petition signed Oct. 19 1640. Fra. Cottington. 19 Oct.
Oct. 16.	Do.	——	Sworn before Jas. Tooke.	——
Oct. 8. Co. Derby.	Wm. Dickius -	Do.	For the wardship of Isaac, son and heir of Isaac Smith, to be transferred to him after the death of Jane Smith, the natural mother, late committee of the said ward, and died 10 days since. He likewise desired a lease of the jointure lands which the said Jane held during her life.	Let petitioner attend at the last sitting upon compositions with a schedule, &c., and further consideration shall be had of his request. Fra. Cottington, Oct. 19, 1640.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Nov. 21. Oct. 22.	Augustine Skinner *v.* Humfrey Stile, K.B., defendant.	—	——	——
Oct. 22 Sussex.	John Chalwyn of Hashatt, Sussex.	Francis Lord Cottington.	For the concealed wardship of the heir of Rich. Napcraft, late of Pagham, Sussex, who died five or six years since, seised of lands in Sussex, whereof no office has been found.	Commission de Mandamus to find the office decreed, returnable in Hilary term next.
Oct. 21. Lincoln et al.	Sir John Wray, Knt. and Bart., uncle to the heir on the mother's side, the mother being also dead.	Do.	For the wardship of Frances, sole daughter and heir of Sir Francis Foljambe, Knt., who died about three weeks since, seised of lands in co. Lincoln et al.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Hilary term next. Oct. 22, 1640.
Oct. 20. Kent.	Dame Ann Fane, widow, and Henry Lucas.	Do.	For respite to return the office after the death of Sir Geo. Fane, Knt., till next term, alleging that the writings which concern the tenure of the lands are out of their hands.	Let petitioners return the office and attend with a schedule, &c. the first sitting in Hilary term next. Fra. Cottington, Oct. 22, 1640.
Oct. 20. Essex, Kent.	Hester Paule, widow, natural mother of the ward.	Do.	For the wardship of Wm. son and next heir of Anthony Paule, citizen and merchant of London, who died 4 Oct. inst., seised of lands in Kent and Essex.	Writ de diem, &c. to find the office decreed, returnable the sixth sitting in Hilary term next. Oct. 21.
Oct. 10. Kent.	Thomas Sandford, clerk.	Do.	For the custody of Wm. Ramsay, a lunatic, formerly committed to one Henry Roper, who is lately dead.	Petitioner to attend with a schedule, &c. the tenth sitting in Michaelmas term next. Oct. 12.
Oct. 22. Berks.	Grace Allin, widow, mother of the ward.	Do.	For the wardship of her son, being son and heir of Griffin Allin, her late husband, who died half a year since, she being left with child, the lands lying in co. Berks.	Writ de diem, &c. to find the office decreed, returnable the last sitting in Hilary term next.
Nov. 23. Oct. 27.	Ferdinando Huddleston *v.* Sam. Knipe, defendant.	—	——	——
Oct. 20. Co. Worcester.	Elizabeth Loggin, widow, mother of the ward.	Francis Lord Cottington.	For the wardship of Edward, brother and next heir of Wm. Loggin, who died lately, seised of lands in Bretforton et al. in co. Worcester.	Commission de Devenerunt decreed to find the office, returnable the second sitting in Hilary term next. Oct. 21.
Oct. 25. Bucks., Midd. et al.	Mary Cranmer, widow, mother of the ward.	Do.	For the wardship of Cæsar, son and heir of Sam. Cranmer, late Alderman of London, who died about three weeks since, seised of lands in Bucks., Midd., et al.	Writ de diem, &c. to find the office decreed, returnable the first sitting in Hilary term next.
Oct. 24. Cornwall.	Julian Tanner, widow, mother of the ward.	Do.	For the wardship of John, son and heir of Bernard Tanner, petitioner's late husband, who died 8 Oct. inst., seised of lands in Cornwall, held by Knights service, as of his Majesty's castle of Launceston.	Writ de diem, &c. as above, returnable the third sitting in Hilary term next. Oct. 25, 1640.
Oct. 24. York.	Beatrice Holdesworth.	Do.	Beatrice Freeman (sic), widow, natural mother of the ward, petitioned for the wardship of the son and next heir of Richard Holdesworth, who died above three weeks since, seised of lands in co. York.	Writ de diem, &c. as above. returnable the fourth sitting in Hilary term next. Oct. 25.
Oct 27. Sussex.	Samuel Parker -	Do.	For a lease of lands descended to Wm. Parker, his son, by the death of John Holeman, late of Heathfield, Sussex, who died 12th Oct. inst., seised of lands in Sussex, the said Wm. Parker being his grandchild and co-heir. Petitioner desired the office may not be returned till Easter term, as the writings are all out of his hands.	Writ de diem, &c. decreed to find the office, returnable the second sitting in Easter term next. Fra. Cottington, Oct. 28, 1640.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Oct. 26. Essex.	Sir Thos. Rowe, Knt.	Francis Lord Cottington.	For the neglected wardship of the son and heir of Henry Parkhurst, late of London, who died above a month since, seised of lands in Essex et al. for which no suit has yet been made, but the same is neglected.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Hilary term next. Oct. 27.
Nov. 5. Oct. 30.	Algernon Earl of Northumberland and others ex parte the Earl of Winchelsea, the ward, *v.* Hugh Awdley, defendant.	—	——	——
Nov. 21. Oct. 30.	Nicholas Steward *v.* Humfrey Steward.	—	——	——
Oct. 23. Kent.	Thos. Bostock appointed by the will of the ward's father, the ward's mother being also dead.	Francis Lord Cottington.	For the wardship of George, son and heir of Geo. Woodyer, late of Bully Hill, Kent, who died about a month since, seised of lands in Kent.	Commission decreed as above, returnable the first sitting in Hilary term next. Oct. 24.
Oct. 29. Denbigh.	Edward Morrice, of Henbughey, co. Denbigh, the ward's uncle by the mother's side.	Do.	For the wardship of Robert, son and heir of Edward Jones, late of St. Quenan, who died about three weeks since, seised of lands in co. Denbigh.	The like commission decreed, returnable the second sitting in Hilary term next. Oct. 30.
Oct. 30. Northampton et al.	Dame Anna Farmor, widow of Sir Hatton Farmor, Knt., deceased, and mother of the ward.	Do.	For the wardship of Wm., son and heir of the said Sir Hatton Farmor, who died last Wednesday, seised of the manors of Easton Neston, co. Northampton, and of other lands elsewhere.	Do.
Nov. 14. Nov. 9.	Robert Brett *v.* John Ewens et al.	—	——	——
Oct. 30. Co. Cambridge.	Edward Baker -	Francis Lord Cottington.	For the neglected wardship of the cousins and heirs of Robert Balam, who died six months since, seised of lands in co. Cambridge, no suit having been made for the wardship.	The like commission decreed, returnable the second sitting in Hilary term next. Oct. 30.
Oct. 31. Beds. et al.	Nathaniel Stirrop -	Do.	For the neglected wardship of the grandchild and heir of Robert Hesselden, late of Goldington, Beds., who died three months since, seised of lands in Beds. et al. for which wardship no suit has yet been made.	Do.
Oct. 31. Warwick.	Michael Sparke and Eliz. his wife, a kinswoman of the lunatic.	Do.	For the custody of Elizabeth Austin, of Ilmington, co. Warwick, who is non compos mentis and a lunatic, the lands lying in co. Warwick.	A commission de lunat. inquirend. to find the office decreed, returnable the third sitting in Hilary term next. Nov. 2, 1640.
Nov. 26. Nov. 5.	Will. Palmer *v.* John Warre, defendant.	—	——	——
Nov. 23. Nov. 6.	Joseph Alston *v.* Peter Alston, defendant.	—	——.	——
Nov. 2. Co. Chester.	Edmund Swettenham and Wm. Vernon, uncle and brother-in-law by marriage of Somerford Oldfield, deceased, and desired by his will to have the wardship of his heir.	Francis Lord Cottington.	For the wardship of the son and heir of the said Somerford Oldfield, who died about eight years since, seised of [lands] in co. Chester, &c., the ward's mother being also dead.	Writ de diem, &c. to find the office decreed, returnable the third sitting in Hilary term next. Nov. 4, 1640.

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40. Oct. 26. Kent.	Thomas Fowler -	Francis Lord Cottington.	For the concealed wardship of the daughters and heirs of Robert Kipping, late of Tudeley, Kent, who died six years since, seised of lands in Kent, &c., an office having been found against the King.	Commission de Melius inquirendo decreed to find the office, returnable in Hilary term next.
Nov. 3. Notts.	Sence Bunby, grandmother, and Robt. Fieldhouse, the ward's uncle by the mother's side, the mother being also dead.	Do.	For the wardship of Wm. son and heir of Oliver Turnell, late of East Markham, co. Notts., who died about three weeks since seised of lands in co. Notts.	Writ de diem, &c. to find the office decreed, returnable the first sitting in Easter term next.
Oct. 31, Co. Radnor.	Anne Jones, widow, mother of the ward, and Charles Price.	Do.	For respite to return the office after the death of Richard Jones, deceased, in co. Radnor, alleging that they want the deeds concerning the estate.	To return the office and attend with a schedule, &c. the second sitting in Hilary term next. Fra. Cottington, Nov. 2, 1640.
Nov. 4. Co. York.	Tho. Garforth. -	Do.	For the concealed wardship of Wm., son and heir of John Croasdale, late of Waddington, co. York, who died 10 years since, seised of lands in co. York, whereof no office hath been found.	Commission de Mandamus to find the office decreed, returnable in Hilary term next. Nov. 5.
Oct. 23. Co. Northampton.	Alice Downes, widow, mother of the ward.	Do.	For respite to return the office after the death of Francis Downes, deceased, for that she wants evidences to prove the tenure.	To return the office and attend with a schedule, &c. the first sitting in Hilary term next.
Nov. 24. Nov. 9.	Henry Browne *v.* Thos. Browne, defendant.	—	——	——
Nov. 21. Nov. 6.	Chas. Shirley, Bart., *v.* John Osborne, defendant.	—	——	——
Oct. 31. Glamorgan.	Sir Edwd. Stradling, Knt. and Bart., and Dame Mary his wife, committees of Bussy Mansell, his Majesty's ward, with Sir Anth. Mansell, the third committee.	Francis Lord Cottington.	To have the interest of the said Sir Edward and Dame Mary in the wardship transferred to Edward Stradling, petitioners' son and heir, for that the said Sir Edward is commanded on his Majesty's service to live out of the country for some time.	To be moved upon the next sitting at compositions, when further consideration shall be had. Nov. 2.
Nov. 5. Essex and Suffolk.	Elizabeth Easterford, widow, mother of the ward.	Do.	For the wardship of Edmund, son and heir of Edmund Easterford, who died about 14 days since, seised of lands in Halstead and Clare and elsewhere in Essex and Suffolk.	Commission de diem, &c. decreed to find the office, returnable the second sitting in Hilary term next.
Nov. 5. Chester.	Mary Tarbocke, widow, mother of the ward.	Do.	For respite to return the office after the death of Peter Tarbocke, deceased, till next term, alleging that she wants the evidences concerning the tenure of the lands which are all out of her hands.	Let petitioner return the office and attend with a schedule, &c. the second sitting in Hilary term next. Fra. Cottington, Nov. 6, 1640.
Nov. 5. Somerset, Wilts., et al.	Thos. Hill, clerk, and Margt. his wife, mother of the ward.	Do.	For the wardship of Wm. brother and heir of Thos. Helme, who died 3 July last, before any office found after the death of Wm. Helme, his father, and seised of lands in Somerset, Wilts., et al.	Commission de diem as above, returnable the third sitting in Hilary term next. Nov. 6.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Nov. 11.	Thos. Brown, plaintiff in a suit in this Court against Henry Brown, his younger brother, defendant.	Francis Lord Cottington.	Being served with a Privy Seal this 11th of Nov. for the cause to be heard on the 24th inst., for that the books are many hundred sheets of paper, so that petitioner cannot take copies thereof and get briefs ready for the hearing; he desires the hearing may be put off to a further day.	Let this be moved in open Court, and such further directions shall be given as the Court shall think fit. Fra. Cottington.
Nov. 9. Co. Hereford.	Ursula Hall, widow, mother of the ward.	Do.	For the wardship of Matthew son and heir of Michael Hall, late of Wolferlow, in co. Hereford, who died 4th June last, seised of lands in the said co.	Commission de diem, &c. to find the office decreed, returnable the third sitting in Hilary term next. Nov. 10.
Nov. 13. Suffolk.	Tho. Cawbacke, husbandman.	Do.	Having cause of suit against Peter Alston in this Court, Cawbacke on his petition, Nov. 13th, 1640, was admitted in formâ pauperis, and Mr. Pepys, Mr. Reynolds, and Mr. Mordant were assigned for his counsel, and Mr. Darnell his attorney. By affidavit of the aforesaid Thos. Cawbacke, 11th Nov. 1640, before R. Wandesford.	——
Nov. 11. Salop.	Sir Thos. Middleton, Knt., committee of the body and lands of Roger Pope.	Do.	For respite to compound for a lease of lands descended to the ward by the death of his grandmother Susan Pope; alleging that by reason petitioner hath been employed abroad in his Majesty's service he could not now attend.	Let petitioner attend with a schedule, &c. the first sitting in Hilary term next. Fra. Cottington, Nov. 13, 1640.
Nov. 11. Montgomery.	Eleanor Tildesley, widow, mother of the ward.	Do.	For respite to find the office after the death of John Tildesley till next term, for that the evidences concerning the tenure are not as yet in her hands.	Let petitioner return the office and attend with a schedule, &c. the third sitting in Hilary term. Fra. Cottington, Nov. 13.
Feb. 9. Nov. 16.	John Ferrers *v.* Humfrey Bradborne et al. defendants.	—	——	——
Feb. 4. Nov. 18.	Thos. Leveson *v.* Sarah Lane, a widow et al. defendants.	—	——	——
Nov. 15.	Edmond Stevens, alias Peirce.	Francis Lord Cottington.	Being defendant in a cause wherein John Rives, his Majesty's ward, is plaintiff by information; and being plaintiff by a cross bill against Mary Rives, the said ward, and others, defendants. The said ward obtained publication in his cause the beginning of this term, and procured the same to be set down for hearing 19th Nov. inst.; and petitioner, by reason of divers suggestions and delays of the said ward, could not get publication in his cause before the 11th of this Nov., and the books being near 600 sheets of paper cannot be so soon copied for petitioner as to be ready for the hearing. Wherefore the two causes depending on one another, he prays they may be appointed to be heard together some time next term.	Let this be moved to-morrow in open Court and such order shall be given therein as shall be requisite. Fra. Cottington, 15th Nov. 1640.
Nov. 14.	Edmund Pierce, alias Stevens.	—	Sworn Nov. 14, 1640, coram, R. Wandesford.	Mem.—This cause, wherein petitioner is plaintiff against Mary Rives and others, is set down to be heard 25th Jan. next [1640-1], and the 2nd petition was signed Nov. 18, 1640.
Nov. 9. Suffolk.	Thos. Bay	Francis Lord Cottington.	For respite to return the office after the death of Rich. Deeresley upon the Melius inquirendo until next term, alleging that he wants divers evidences which are not yet in his custody.	Let petitioner return the office and attend me with a schedule and survey in Hilary term next. Fra. Cottington, Nov. 10, 1640.

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1640. Nov. 14. Essex.	Sir Hen. Mildmay, Knt., and Bridget Penning, committees of the body and lands of Hen. Penning, his Majesty's ward.	—	Upon their petition my Lord granted an allowance of 4*l.* 10*s.* per annum for exhibition to the ward, out of the rent of 45*l.* per annum, to commence from the death of Anthony Penning, the ward's grandfather, for and during his minority; and the warrant directed to Sir Miles Fleetwood, Knt., was signed Nov. 14, 1640.	——
Nov. 13. Brecon.	William James -	Francis Lord Cottington.	For the concealed wardship of the son and heir of Evan Thomas, who died in August 1639, seised of lands in co. Brecon, whereof no office hath been found.	Commission de Mandamus to find the office decreed, returnable in Hilary term next. Nov. 14.
Nov. 16. Co. Gloucester.	Philippa Rogers, widdow, mother of the ward.	Do.	For the wardship of Doun, son and heir of Wm. Rogers, late of Dowdeswell, co. Gloucester, who died 14 days since, seised of lands in the said co.	Commission de diem to find the office decreed, returnable the second sitting in Hilary term next. Nov. 18.
Nov. 16. Middlesex.	Jane Thompson, widow, mother of the ward.	Do.	For the wardship of Thos. Vincent, cousin and next heir of John Vincent, who died about three weeks since, seised of lands in Middlesex.	Commission decreed as above, returnable the first sitting in Hilary term next. Nov. 18.
Nov. 18. Northampton.	Philip Cable - -	Do.	For the concealed wardship of the heir of Wm. Elborow, late of Brixworth, co. Northampton, who died three years since seised of lands in the said county, whereof no office hath been found.	Writ de Mandamus to find the office decreed, returnable in Hilary term next. Nov. 19, 1640.
Nov. 19. Suffolk.	Margt. Leman, widow, mother of the ward.	Do.	For the wardship of John, son and heir of Thomas Leman, late of Wetheringsett, Suffolk, who died Nov. 10 inst. seised of lands in Suffolk.	Commission de diem to find the office decreed, returnable the third sitting in Hilary term next. Nov. 20.
Nov. 18. Montgomery.	Thos. Pritchard -	Do.	For the concealed wardship of the heir of Peter Middleton, who died about two years since, seised of lands in Churchstoke, co. Montgomery, whereof no office hath been found.	Writ de Mandamus to find the office decreed, returnable in Hilary term next. Nov. 19.
Nov. 18. Montgomery.	Wm. Powell -	Do.	For the concealed wardship of the heir of Thos. Porter, who died about three years since, seised of lands in Hope, co. Montgomery, whereof no office hath been found.	Decreed as above.
Nov. 10. London.	Edward Richardson	Do.	For the neglected wardship of the son and heir of John Bridges, late of London, who died about two months since, seised of lands in London et al. which hath been wholly neglected.	Writ de diem, &c. decreed to find the office, returnable the second sitting in Hilary term next. Nov. 11.
Nov. 12. York City.	The Lord Deputy of Ireland, Sir Gerrard Lowther, and Sir George Ratcliffe, Knts.	Do.	For respite to return the office after the death of Sir Rich. Osbaldeston, Knt., till Easter term next, for that there is a deed in Ireland which concerns the tenure and must be used at the sitting of the office.	Let petitioners return the office and attend with a schedule, &c. the first sitting in Easter term next. Fra. Cottington, Nov. 14, 1640.
Nov. 19. Cambridge	Dudley Pope, of the Inner Temple, London, who married the relict of the ward's father.	Do.	For the wardship of Margaret, daughter and heir of Thomas Swaine, late of Wisbeach, in the Isle of Ely, co. Cambridge, who died about a year and a half since, seised of lands in the said co. Petitioner desires the wardship to the use of the ward.	Commission de Mandamus to find the office decreed, returnable the third sitting in Hilary term next. Nov. 20.

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1640. Nov. 20. Warwick.	Joyce Wade, widow, mother of the ward.	Francis Lord Cottington.	For the wardship of Samuel, son and heir of Michael Wade, petitioner's late husband, who died about 14 days since, seised of lands in co. Warwick.	Writ de diem to find the office decreed, returnable the third sitting in Easter term next. Nov. 21.
Nov. 19. Warwick.	Wm. Parkins, John Staunton, and Mark Turkinton, executors of the will of Ann Peers, relict of John Peers, deceased, who was committee of the ward.	Do.	For the wardship of Wm., son and heir of the said John Peers, formerly granted to the said Ann about a year since, and they also desire a lease of jointure lands descended to the ward by the said Ann's death three months since.	Let petitioners attend with a schedule, &c. the last sitting at compositions this Michaelmas term. Fra. Cottington Nov. 20. 1640.
Nov. 21. Lanc.	John Calveley, his Majesty's late ward, and now of full age.	Do.	For a writ of Que plura to find a new office after the death of Edward Calveley, his late father, for that there are some lands left out of the office formerly found after his death.	Let petitioner have a writ de Que plura to find the office, and afterwards let him proceed to cast up the rates and to sue his livery. Fra. Cottington.
Nov. 13. Warwick.	Rich. Canning, kinsman to the lunatic, and solely tendering her good and the preservation of her estate.	Do.	For the custody of Eliz. Austen, being a lunatic, not able to govern herself nor her estate.	There is a warrant for a writ formerly awarded, and the office is to be returned the third sitting in Hilary term next, when petitioner may attend as a competitor concerning a grant of the custody of the said lunatic. Fra. Cottington, 14 Nov.
Jan. 30. Nov. 23.	Thos. Browne *v.* Hen. Browne.	—	——	——
Nov. 21. Warwick. Coventry.	Michael Turton -	Francis Lord Cottington.	For the concealed wardship of Eliz. and Mary, the two daughters and co-heirs of Edward Stapleton, who died 10 years since, seised of lands in Coventry and co. Warwick, whereof no office hath been found.	Commission de Mandamus to find the office decreed, returnable in Hilary term next. Nov. 24.
Nov. 23. Surrey.	Parnell Smith, widow, mother of the ward.	Do.	For the wardship of George, son and heir of William Smith, late of Mitcham, Surrey, who died three weeks since, seised of lands in Surrey.	Commission de diem, &c. to find the office decreed, returnable the first session in Hilary term next. Nov. 24.
Nov. 24. Surrey.	James Earl of Annandale.	Do.	For a writ or commission to find an office after the death of John Earl of Annandale, his late father, who died two months since, seised of lands in Surrey.	Let his Lordship have a writ or commission de diem, &c. to find the office, and after let him proceed to sue forth his livery. Fra. Cottington Nov. 25, 1640.
Nov. 24. Co. Salop.	Samuel Whitchcott -	Do.	To be admitted to pass the wardship of Richard, son and heir of Richard Jones, who died four years since, seised of lands in co. Salop; upon the neglect of Ellen Jones, widow, mother of the ward, who compounded with this Court for the fine of 25*l.* and the rent of 5*s.*, but hath not paid the fine or passed the grants as she ought to have done.	Let petitioner attend with a schedule, &c. the last sitting this Michaelmas term. Fra. Cottington, Nov. 25.
Jan. 25. Nov. 21.	John Rookes et al. *v.* James Calthorpe, &c., defendants.	—	——	——
Feb. 9. Nov. 21.	Jane Hudson, widow, *v.* Hen. Fletcher et al. defendants paup.	—	——	——
Jan 28. Nov. 23.	Hen. Fletcher *v.* Hen. Patrickson.	—	——	——
Jan. 25. Nov. 25.	Wm. Cole *v.* Wm. Reade.	—	——	——
Jan. 30. Nov. 25.	John Lodge et al. *v.* Wm. Meeke.	—	——	——

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1640. Feb. 7. Nov. 26.	John Earl Rivers *v.* Rich. Harper et al.	—	——	——
Jan. 26. Nov. 27.	Rich. Brooke *v.* Rich. Newton.	—	——	——
Nov. 23. Surrey.	Dame Anne Randall	Francis Lord Cottington.	For the custody of Sir Morgan Randall, Knt., her husband, who is a lunatic not able to govern himself nor his estate, which lies in Surrey.	Writ de Lunatico inquirendo to find the office decreed, returnable the first sitting in Hilary term next. Nov. 24.
Nov. 25, Middlesex.	Thomas Sheppard -	Do.	For a Melius inquirendo to find a new office after the death of his late brother, Nicholas Sheppard, a former office having been found and therein an Ignoramus for the tenure, and petitioner being of full age.	Let petitioner have a writ de Melius inquirendo to find the office, and after let him proceed to sue forth his livery. Fra. Cottington, Nov. 26, 1640.
Nov. 26.	Thos. Risdon, committee of the body and lands of Giles Risdon, his Majesty's ward, of the age of nine years or thereabouts.	Do.	For license to grant so many reversions out of the ward's estate as will suffice for payment of the ward's father's debts.	Let this be moved upon the next sitting at compositions and such further order shall be given as shall be thought fitting. Fra. Cottington.
Feb. 8. Nov. 27.	Cecilia Tovey *v.* Jas. Dockuray, &c.	—	——	——
Feb. 4. Nov. 27.	Geo. Gente et al. *v.* Fr. Gente et al.	—	——	——
Nov. 26. Lincoln.	Thomas Cony, executor of the last will of the deceased, the mother being also dead.	Francis Lord Cottington.	For the wardship of John, son and heir of Matthew Clarke, late of Algarkirk, co. Lincoln, who died Nov. 17th instant, seised of lands in the co. aforesaid.	Commission de diem, &c. to find the office decreed, returnable the fourth sitting in Hilary term next. Nov. 27.
Nov. 21. Lincoln.	Martha Stirropp, widow, mother of the ward.	Do.	For respite to return the office after the death of Thomas Stirropp till next term, alleging she wants some evidences concerning the lands.	Let petitioner return the office, and attend with a schedule, &c. the fourth sitting in Hilary term next. Fra. Cottington. Nov. 26.
Nov. 27. Derby.	George Allestrey -	—	Sworn feodary of co. Derby on the surrender of Wm. Allestrey, formerly feodary.	——
Nov. 24. Surrey.	Lancelot Simonds -	—	Sworn feodary of Surrey on the resignation of Matthew Carleton, formerly feodary.	——
Nov. 24. Co. York.	Peter Milner, and Jane his wife, mother of the ward.	Francis Lord Cottington.	For respite to return the office after the death of Peter Horseman, deceased, till next term, alleging that by reason of these troublesome times they could not return the same.	To return the office and attend with a schedule the fourth sitting in Hilary term next. Nov. 27.
Nov. 26. Somerset.	Philip Jones and Robt. Williams, committees of Martin Floyer, his Majesty's ward.	Do.	To compound for a lease of copyhold lands within the manor of Norlinch, Somerset, which is parcel of the ward's inheritance.	To be moved on the next sitting at compositions, when further consideration shall be had. Nov. 27.
Nov. 26. Dorset. Somerset.	William Morgan, a near kinsman to the ward, and entrusted by the ward's father before his death to petition for the wardship, the mother being also dead.	Do.	For the wardship of the heir of Thomas Still, late of Shaston St. James, Dorset; who died about three weeks since, seised of lands in Dorset and Somerset.	Commission de diem to find the office decreed, returnable the third sitting in Hilary term next. Nov. 27, 1640.
Nov. 26. Chester.	Daniel Lovekin -	Do.	For respite to return the office after the death of Matthew Lownds, deceased, till next term, alleging he could not find the office for want of evidences.	Let petitioner return the office and attend me with a schedule and survey in Hilary term next. Fra. Cottington, Nov. 27.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Feb. 1. Dec. 1.	Francis Lord Dacre *v.* Thos. Carns et al.	—	——	——
Jan. 26.	Joseph Alston *v.* Peter Alston.	—	——	——
Jan. 26.	Rich. Wingfield, Bart., *v.* James Copping, defendant.	—	——	——
Nov. 28. Kent.	Sir Edward Hales., Knt. and Bart., and John Austen.	Francis Lord Cottington.	For respite to return the office after the death of Dame Christian Hales, widow, in Kent, until next term, alleging they could not possibly get it returned this term.	Petitioners to return the office and attend with a schedule, &c. the last sitting in Hilary next. Dec. 1, 1640.
Nov. 28. Oxon.	William Batson	Do.	For the concealed wardship of the son and heir of Christopher Blower, who died about two years since, seised of lands in co. Oxon., whereof petitioner hath at his own charge found an office and entitled his Majesty, &c.	Let petitioner attend me with a schedule and survey in Hilary term next, and &c. Fra. Cottington, Nov. 30.
Dec. 1. Norfolk.	Richard Humfrey, one of the attorneys of his Majesty's Court of Common Pleas at Westminster.	Do.	Having disbursed the sum of 24*l.* 17*s.* towards the charges of the procurement of the wardship of Henry, son and heir of Henry Berney, late of Griston, Norfolk, deceased; and some other sums disbursed by petitioner upon the request of Anne Berney, the ward's mother, and the said Anne since dying, Richard Humfrey petitioned that George Walker, uncle and committee of the said Anne, may repay him his disbursements.	Let this be moved at the fourth sitting upon compositions in Hilary term next, and let George Walker above mentioned have sufficient notice to attend the motion. Fra. Cottington.
Dec. 2. Lincoln.	Mary Chamberlain, widow, mother of the ward.	Do.	For the wardship of the son and heir of Simon Chamberlain, her late husband, who died above a month since, seised of lands in co. Lincoln.	Commission de diem, &c. to find the office decreed, returnable the sixth sitting in Hilary term next.
Dec. 2. Lincoln.	Martin Browne, uncle and committee of Mary and Ann Beckering, his Majesty's ward.	Do.	Having compounded for the said wardship for the fine of 20*l.* and the yearly rent of 6*l.*, and having disbursed above 156*l.* towards the recovery of the ward's lands and the estate at utmost being but 17*l.* 10*s.* per annum, petitioned for a mitigation of the said fine, and rent to his Majesty.	To be moved to-morrow at the compositions, and such further direction shall be given herein, as shall be requisite.
Nov. 26.	Martin Browne aforesaid.	—	Sworn on the truth of his petition. Coram Jas. Tooke.	——
Nov. 24. Essex.	Anthony Knightsbridge.	Francis Lord Cottington.	For the concealed wardship of Wm., son and heir of Wm. Tatem, who died about four years since, seised of lands in Essex, whereof no office hath been found, but rests concealed.	Writ de Mandamus to find the office decreed, returnable in Hilary term next. Nov. 25.
Dec. 4. York.	John Stevens	Do.	For the neglected wardship of the son and heir of John Clement, who died about six months since, seised of lands in co. York, for which wardship the mother petitioned, and had directions for a writ; but hath neglected to prosecute the said directions.	Commission de diem, &c. decreed to find the office, returnable the sixth sitting in Hilary term next. Dec. 7.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Dec. 5. Hereford, Worcester.	Mary Cookes, widow, mother and committee of Wm. Cookes, his Majesty's ward.	—	Upon her petition my Lord granted an allowance of 10*l.* per annum, for exhibition out of the rent of 100*l.* per annum after the death of Anne Cookes, the ward's grandmother, and the warrant was signed Dec. 5, 1640, and directed to Sir Myles Fleetwood, Knt., Receiver General of the Court of Wards.	——
Dec. 4. York.	Gilbert Bayldon	—	Admitted in formâ pauperis to prosecute a suit in this Court against Henry Slingsby, Wm. Copley, and others, defendants, and Mr. Morgan and Mr. Davyes were assigned for his counsel, and Mr. Darnall for his attorney. Petitioner was sworn Nov. 27, 1640, coram Ja. Tooke.	——
Nov. 10. Derby.	Elizabeth Loton, widow, mother of the ward.	Francis Lord Cottington.	For respite to return the office after the death of Anthony Loton, her late husband, alleging that the evidences are out of her hands which must prove the tenure, &c.	Let petitioner return the office, and attend with a schedule, &c. the second sitting in Hilary term next. Fra. Cottington.
Dec. 5. Lincoln.	John Nelthorpe, uncie to the ward by the mother's side, the mother being also dead.	Do.	For the wardship of Henry, son and heir of Rich. Sandwith, late of Barton, co. Lincoln, who died about 14 days since, seised of lands in co. Lincoln.	Commission de diem &c. to find the office decreed, returnable the first sitting in Easter term next. Dec. 7, 1640.
Dec. 1. Berks., Bucks., Monmouth.	Anne Pritchard, widow, mother of the ward.	Do.	For respite to compound for the wardship of Griffith, son and heir of Edward Pritchard, till next term, she having already found the office, and therein a tenure of his Majesty, but in regard the lands lie in several counties she could not get the certificates from the several feodaries time enough to compound.	Let petitioner attend with a schedule and confession of the state, the first sitting in Hilary term next. Fra. Cottington, Dec. 3, 1640.
Dec. 10. London.	Sir Richard Onslow, Knt., committee of Jane and Philadelphia Carr, daughters and co-heirs of Sir Edward Carr, Knt., deceased.	—	Upon his petition, and upon Mr. Auditor's blank warrant, my Lord gave him 2*l.* for exhibition out of the annual rent of 20*l.*, and the warrant was signed Dec. 10, 1640, and directed to Sir Myles Fleetwood, Knt.	——
Dec. 5. Norfolk.	Robert Scarlett	Lord Francis Cottington.	For respite to return the office after the death of Nathaniel Shovell till next Easter term, alleging that by reason of this short vacation he shall not be able to examine his most material witnesses.	Let petitioner return the office and attend me with a schedule and survey in Easter term next. Fra. Cottington, Dec. 7, 1640.
Nov. 26. London, Surrey.	Dorothy Reeve, widow, natural mother of the ward.	Do.	For the wardship of John, son and heir of John Reeve her late husband, who died about seven days since, seised of lands in London and Surrey.	Commission de diem &c. to find the office decreed, returnable the last sitting in Hilary term next. Nov. 27.
Dec. 8. Lancaster.	Wm. Bolton, son and heir of Richard Bolton, deceased.	—	Admitted in formâ pauperis to prosecute a suit in this Court for recovery of some lands in co. Lancaster, which is petitioner's inheritance, and Mr. Serjeant Brerewood, Mr. Bridgeman, and Mr. Bradshaw were assigned for his counsel, and Mr. Elles for his attorney.	——

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Dec. 5. Chester.	Walter Primrose -	Francis Lord Cottington.	For the neglected wardship of the heir of Edward Whitby, late of West Chester, who died about a year since seised of lands in co. Chester, whereof an office hath been found, and therein a tenure against his Majesty by a writ of Diem clausit extremum taken out on the petition of James Gartside and Alice his wife; wherefore petitioner desires a Melius inquirendo, &c.	Commission de Melius inquirendo decreed to find the office, returnable the fifth sitting in Hilary term next. Dec. 7.
Dec. 9. Lincoln.	Jane Trowt, widow, mother of the ward.	Do.	For the wardship of Thomas, son and heir of Tho. Trowt, her late husband, who died about five months since, seised of lands in co. Lincoln.	Writ de diem, &c. to find the office decreed, returnable the last sitting in Hilary term next. Dec. 10.
Dec. 9. York, Lincoln.	Sir John Wray, Knt. and Bart.	Do.	For respite to return the office after the death of Sir Francis Foljambe, Knt., deceased, until the cause be heard in Court, alleging that he hath been inforced to prefer an Information for proving the tenure.	Let petitioner proceed with effect to the hearing of the cause, and after let him return the office, and attend with a schedule, &c. Fra. Cottington, Dec. 10.
Dec. 9. York.	Isabel Horseman, widow, mother of the ward.	Do.	For the wardship of the son and heir of Timothy Horseman, her late husband, who died about 14 days since, seised of lands in co. York.	Commission de diem, &c. to find the office decreed, returnable the sixth sitting in Hilary term next. Dec. 10.
Dec. 8. Surrey.	Stephen Burnett, committee of Wm. Cocke, his Majesty's late ward, deceased, who was son and heir of Edwd. Cocke, likewise deceased.	Do.	For the wardship of the brother and heir of the said Wm. Cocke, who died about four months since, seised of lands in Surrey.	Petitioner to have a commission de Devenerunt to find the office, returnable the fifth sitting in Hilary term next. Dec. 10.
Dec. 9 Sussex.	Wm. Mose, uncle to the heir, and entrusted by the father before his death with the estate, the mother being also dead.	Do.	For the wardship of Francis, son and heir of Thos. Smith, who died 4 Dec. inst. seised of divers lands, and of the reversion of the manor of Ibernow, in co. Sussex.	Commission de diem, &c. to find the office decreed, returnable the fourth sitting in Hilary term next. Dec. 10.
Dec. 8. Surrey.	Mary Fuller, widow, mother of the ward.	Do.	For a lease of lands descended to Francis Bostocke Fuller, petitioner's son by the death of Frances Fuller, widow, the said ward's grandmother, who died about 12 days since, seised of jointure lands in co. Surrey.	Petitioner to attend with a schedule, &c. the first sitting in Hilary term next. Dec. 9.
Dec. 16. Northumberland.	Mary Midford, widow, mother of the ward.	Do.	For the wardship of Robert son and heir of Robert Midford, late of Sighill, in co. Northumberland, who died Dec. 3 inst., seised of lands in Northumberland.	Writ de diem, &c. to find the office decreed, returnable the first sitting in Easter term next. Dec. 17.
Dec. 18.	Ann Pike and Wm. Thorne.	Do.	Having an attachment awarded against them at the suit of John Tyle for lands late of Wm. Martin, co. Bucks., for not delivering the possession of some lands and nonpayment of their rents to the said Tyle, they being not acquainted with his motion post terminum, and having preferred a bill of traverse, desire the rents may be ordered to be paid into this Court and the attachment be superseded.	I desire Mr. Attorney of the Wards to take this petition into his consideration, and to give such further directions therein as he shall think fit. Fra. Cottington. Dec. 26.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Dec. 10.	Thomas Hawtrey -	——	Was admitted in formâ pauperis and Mr. Hatton and Mr. Byshe are assigned for his counsel, and Mr. Kittermaster for his attorney, to prosecute a suit in this Court, and the petition was signed Dec. 10.	——
Nov. 27.	Do.	——	Sworn before R. Wandesford.	——
Dec. 17. Chester.	Wm. Oldfield - -	Francis Lord Cottington.	For the neglected wardship of the son and heir of Peter Bennet, who died about four months since, seised of lands in co. Chester, whose wardship his friends have neglected.	Commission de diem, &c. to find the office decreed, returnable the last sitting in Hilary term next.
Dec. 17. Chester.	Do.	Do.	For the concealed wardship of the two daughters and co-heirs of James Grantham, who died five years since, seised of lands in co. Chester, whereof no office hath been found.	Let petitioner have a writ or commission de Mandamus to find the office, returnable to me in Hilary term next. Fra. Cottington.
Dec. 13. York.	Helen Corney, widow, mother of the ward.	Do.	For the wardship of Edward, son and heir of Daniel Corney, late of Sedbergh, co. York, who died Dec. 2 inst., seised of lands in Sedbergh aforesaid.	Commission de diem, &c. to find the office decreed, returnable the first sitting in Easter term next. Dec. 18.
Dec. 13. York.	Alice Wandesford, widow, mother of the ward.	Do.	For the wardship of George, son and heir of Christopher Wandesford, late Lord Deputy of Ireland, who died Dec. 3 inst., seised of lands in co. York.	Commission de diem, &c. to find the office decreed, returnable the last sitting in Hilary term next.
Dec. 17. Worcester.	Edward Jones- -	Do.	For the concealed wardship of Thomas, son and heir of Tho. Millward, who died long since, seised of lands in co. Worcester, whereof petitioner hath by writ of Mandamus found an Ignoramus for the tenure, wherefore he desires a Melius inquirendo.	Commission de Melius inquirendo to find the office decreed, returnable in Easter term next.
Dec. 17. York.	William Maccorde and Alexander Man, two of his Majesty's footmen-in-ordinary.	Do.	For respite to return the office after the death of John Holden, late of Chedley, co. York, till Easter term next, alleging they cannot return it sooner.	Let petitioner return the office and attend me with a schedule and survey in Easter erm next. Fra. Cottington.
Dec. 22. Worcester.	James Rosse cousin and next heir of Francis Rosse, late of Handley, co. Worcester, deceased Oct. 5th last.	Do.	To stay the probate of the will per testes which is pretended to be made by the said Francis unto John Rosse, alias Barrow, the bastard son as is supposed of the said Francis, there being a writ taken forth and an office appointed to be found at Evesham, co. Worcester, Jan. 12 next. He desires the said will may be allowed and examined by this Court before it be proceeded in in the Prerogative [Court], &c.	I desire Mr. Attorney of the Wards to consider this petition and direct some such course therein as shall be best for his Majesty's service according to the course of the Court; or certify me his opinion. Fra. Cottington.
Dec. 22. Stafford.	Mary Eld, widow, late wife of Richard Eld, deceased, and stepmother to the ward.	Do.	To have the commission which is awarded after the death of the said Richard superseded, it being directed not to indifferent commissioners; and that the injunction awarded to put her out of the possession of her jointure land may be dissolved until she shall be legally evicted thereof.	Reference to Mr. Attorney as above.
Dec. 22. Gloucester.	Sarah Warner, widow, mother of the ward.	Do.	For the wardship of Wm., son and heir of Thomas Warner, her late husband, who died about 10 days since, seised of lands in co. Gloucester.	Commission de diem, &c. decreed to find the office, returnable the sixth sitting in Hilary term next.

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Date and Place.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Dec. 22. Sussex.	Francis Smith and George Peyto.	Francis Lord Cottington.	For a lease of lands descended to the said petitioner, Francis, by the death of Tho. Smith, his father, who died the beginning of Dec. instant, seised of lands in Cradford, &c., in Sussex; petitioner being 20 years and three months of age, and married last Mich. to the daughter of petitioner, George. Petitioners desired also a Supersedeas to the writ taken out on the petition of Wm. Mosse about a week since.	Let a Supersedeas be awarded to the former writ, and let petitioners have a writ de diem, &c. to find the office, returnable the sixth sitting in Hilary term next. Fra. Cottington, Dec. 23.
Dec. 23. Cos. Essex, Cambridge, Midd., and London.	Anne Lady Maynard, widow, mother of the ward.	Do.	For the wardship of the son and heir of the Right Honourable Wm. late Lord Maynard, her late husband, who died Dec. 19 inst. seised of lands in cos. Essex, Cambridge, Middlesex, and London.	Writ de diem to find the office decreed, returnable the last sitting in Hilary term next.
Dec. 23. Flint.	Anne Hanmer, widow, mother of the ward.	Do.	For the wardship of the son and heir of Tho. Hanmer, her late husband, who died about 14 days since, seised of lands in co. Flint.	Writ decreed as above, returnable the first sitting in Easter term next.
Dec. 18. Sussex, Kent.	Thomas Iden -	Do.	For the concealed mean rates of Tho. Maplesden, cousin and next heir of Jervaise Maplesden, who died 20 years since, seised of lands in Battle, Sussex, and Rolvenden, Kent, &c., whereof no office hath been found nor livery tendered and continued as by the certificate of the Superior Master of Liveries appears.	Let petitioner have a commission de Mandamus to find the office, returnable with the rates cast up by Mr. Auditor to me in Hilary term next. Fra. Cottington.
Dec. 30. Essex, Kent, London.	Sarah Countess Dowager of Leicester, grandmother of the ward, the mother being dead.	Do.	For the wardship of the son and heir of Sir John Smith, Knt., who died lately beyond the seas, seised of lands in cos. Essex, Kent, and London.	Commission de diem to find the office decreed, returnable the third sitting in Easter term next. Dec. 31.
Dec. 31. Lancaster.	Henry Banaster, sole uncle of the ward by the mother's side, the mother being also dead.	Do.	For the wardship of the son and heir of John Crosse, who died about the beginning of this December, seised of lands in Brotherton, &c., in co. Lancaster.	Writ decreed as above, returnable the first sitting in Easter term next. Jan. 1, 1640[-1].
Dec. 28. Essex.	Daniel Dun, committee of Daniel Dun, his Majesty's ward.	Do.	For a lease of lands descended to the ward by the death of Dame Joan Dun, widow, his grandmother, who died Dec. 27 inst., seised of lands which she held as her jointure for her life.	Let petitioner attend with a schedule, &c. the sixth sitting in Easter term next. Fra. Cottington, Dec. 29.
Dec. 31. Sussex.	Ann Jutton, widow, mother of the ward.	Do.	For the wardship of the four daughters and co-heirs of Anthony Jutton, her late husband, who died about 14 days since, seised of lands in Sussex, petitioner being now with child and expecting to be delivered in May next.	Commission de diem decreed to find the office, returnable the first sitting in Easter term next. Jan. 1, 1640[-1].
1640[-1]. Jan. 8. Hants.	Alice Goddard, widow, mother of the ward.	Do.	For the wardship of Henry, son and heir of Wm. Goddard, her late husband, who died about 14 days since, seised of lands in co. Southampton, &c.	Ordered as above.
Jan. 8. Southampton.	William Knight -	Do.	For the concealed mean rates of Wm., brother and next heir of Henry Goddard, who died about 14 years since, seised of divers lands and of the manor of Cantaton, in co. Southampton, whereof an office hath been found against his Majesty, wherefore petitioner desires a Melius inquirendo.	Let petitioner have a writ de Melius inquirendo to find the office, returnable to me with the rates cast up by Mr. Auditor in Easter term next. Fra. Cottington.

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1640[–1]. Jan. 11. Norfolk.	Hester Johnson, widow, mother of the ward.	Francis Lord Cottington.	For the wardship of the son and heir of Wm. Johnson, late of Ingham, Norfolk, petitioner's late husband, who died about 10 days since, seised of lands in Norfolk.	Commission de diem, &c. to find the office decreed, returnable the first sitting in Easter term next.
Jan. 14. Bucks., Warwick, London et al.	Mary Cranmer, widow, mother of the ward.	Do.	For respite to return the office after the death of Sam. Cranmer, late alderman of London, and to compound for the wardship of the son and heir of the said Samuel till Easter term next, alleging that divers conveyances and evidences which must prove the tenure of the lands cannot as yet be gotten into her hands.	Let petitioner return the office and attend with a schedule, &c. the first sitting in Easter term next. Fra. Cottington, Jan. 15.
Jan. 20. Devon et al.	Sir John Hele, Knt., a near kinsman to the ward, and trusted by the ward's father with his estate, and desired also by him to have the custody and education of the said ward.	Do.	For the wardship of John, son and heir of Nicholas Hele, who died Jan 3 inst., seised of lands in Devon et al. Petitioner is executor also.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Easter term next.
Dec. 2. Salop.	John Downes -	Do.	For the concealed wardship of John, son and heir of John Browne, who died eight years since seised of lands in Nesse, &c., in co. Salop, whereof no office hath been found, but rests concealed.	Commission de Mandamus to find the office decreed, returnable in Easter term next.

Proceedings.

Date and County.	Name of Ward, &c.	Proceedings.	£ s. d.
1640. Oct. 30. Middlesex.	Afra Redman - -	The custody of Afra Redman, being a lunatic and not able to govern herself nor her estate, granted to Charles Spence without fine or rent; he first taking bonds with sureties for the performance of the covenants.	
Nov. 5. Hereford.	Richard Cope - - -	The custody of Richard, son and heir of John Cope, deceased, granted to Tho. Hunton and Joan his wife, the mother, to the ward's use at the fine of - - - - - - - - -	50 0 0
		To be paid half in hand, the rest at six months, with the exhibition of 20*s.*	
		The lease, during the minority, is granted to the parties aforesaid to the ward's use at the yearly rent of - - - -	9 18 0
Nov. 6. Warwick.	Wm. Dixwell - - -	Custody of Wm. Dixwell, being a lunatic not able to govern himself nor his estate, granted to Elizabeth Dixwell, the lunatic's mother, without fine or rent; first taking bonds with sureties for performance of covenants.	
Nov. 9. Chester, London	John Pulford - -	Custody of John, brother and next heir of Ferdinando Pulford, late within age, deceased, granted to Anne Pulford, the mother, to the ward's use at a fine of - - - - - - - - -	250 0 0
		To be paid 50*l.* in hand, the rest at four six months with the exhibition of 2*l.*	
		The lease is granted to the said Anne to the ward's use at the rent of - - - - - - - - - - - -	19 18 0
Nov. 12. York.	Mary Walker -	Custody of Mary, daughter and heir of Wm. Walker, deceased, granted to Grace Walker, the mother, to the use of the ward, at the fine of - - - - - - - - - -	15 0 0
		To be paid half in hand, the rest at six months.	
		The lease is granted to the said Grace to the ward's use at the yearly rent of - - - - - - - - - -	1 18 0

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Date and County.	Name of Ward, &c.	Proceedings.	£ s. d.
1640. Nov. 14. Essex.	Francis Gent, grandchild, and next heir of Henry Gent, deceased.	A lease only—the wardship being compounded 18th June 1639—during the minority is granted to Francis Tompson, the grandfather, to the ward's use at the rent of - - - - -	39 18 0
Nov. 15. Radnor.	Nicholas, son and heir of Nicholas Taylor, deceased.	The custody granted to Eleanor Taylor, the mother, to the ward's use at the fine of - - - - - - - - - To be paid one-third in hand, the rest at two six months.	50 0 0
		The lease is granted to the said Eleanor Taylor to the ward's use at the rent of - - - - - - - -	6 11 1
Nov. 18. Derby.	Elizabeth and Margaret, the two daughters and co-heirs of John Rowe, deceased.	The custody granted to Margaret Rowe, the mother, to the use of the wards for the fine of - - - - - - - - To be paid half in hand, the rest at six months. There is no lease in this case.	60 0 0
Nov. 20. Derby.	Robert, son and heir of Robert Rowe, deceased.	The custody granted to Edward Taylor, the grandfather, to the ward's use at the fine of - - - - - - - To be paid in hand, with the exhibition of four nobles.	66 13 4
		The lease is granted to the said Edward Taylor, to the ward's use, at the yearly rent of - - - - - - - -	13 4 8
Nov. 21. Devon.	— Clifford - -	Mem.—In the schedule for Clifford, co. Devon, my Lord [Cottington] altered the days of payment; the schedule was signed June 25, 1640; my Lord made it to be paid 50*l.* in hand, and the rest at eight six months, the fine being - - - - -	250 0 0
Nov. 20. York.	Henry Dighton, cousin and next heir of John Wells, deceased.	A lease only in this case, the father being living. The lease during the minority is granted to Christopher Dighton, the ward's father, to the use of the ward at the rent of - -	9 18 0
Nov. 21. Devon.	Francis Snelling, grandchild, and next heir of John Snelling, deceased.	The custody granted to Frances Snelling, the grandmother, and Melior Snelling, the mother, to the ward's use at the fine of - To be paid 50*l.* in hand, the rest at three six months, with the exhibition of 1*l.*	200 0 0
		The lease is granted to the said parties to the ward's use at the yearly rent of - - - - - - - -	9 18 0
Nov. 21. Gloucester.	Mary and Hannah Cowper, sisters and co-heirs of Henry Cowper, his Majesty's late ward, deceased.	The custody granted to Mary Cowper, the mother, to the ward's use for the fine of - - - - - - - - To be paid in hand. There is no lease in this case.	20 0 0
Nov. 30. Lincoln.	Edmund, son and heir of Wm. Hart, deceased.	The custody granted to Hamond Bawtree, clerk, and Elizabeth, his wife, to the ward's use for the fine of - - - To be paid in hand. There is no lease.	13 6 8
Nov. 27. York.	Marmaduke, son and heir of Thos. Beckwith, deceased.	The custody granted to Rosamond Beckwith, the mother, to the use of the ward, at the fine of - - - - - To be paid half in hand, the rest at six months. There is no lease.	13 6 8
Nov. 30. Suffolk.	Edmund, son and heir of Edmund Pooley, deceased.	The custody granted to Edmund Pooley, the ward, to his own use, for the fine of - - - - - - - - - To be paid 50*l.* in hand, the rest at five six months, with the exhibition of 5*l.*	300 0 0
		The lease is granted to the said Edmund Pooley, the ward, to his own use at the yearly rent of - - - - - -	49 18 0
Nov. 30. Leicester.	George Sherrard -	The custody of George Sherrard, being a lunatic, is granted to the Right Honourable the Lady Abigail Sherrard, without fine or rent; taking first bonds with sureties for performance of covenants.	
Nov. 30. Suffolk.	Thomas, son and heir of Thomas Nelson, deceased.	The custody granted to Anthony Barry to his own use for the fine of - - - - - - - - - - To be paid in hand.	20 0 0
		The lease is granted to the said Anthony Barry to his own use at the yearly rent of - - - - - - -	0 1 0
Nov. 30. Essex, Suffolk, Cambridge.	Francis Higham, son and heir of Sir Rich. Higham, Knt., deceased.	The custody granted to Richard Glover to the use of the ward for the fine of - - - - - - - - - To be paid 100*l.* in hand and the rest at six six months, with the exhibition of 5*l.*	400 0 0
		The lease during the minority is granted to the said Rich. Glover to the use of the ward at the yearly rent of - - - -	49 16 0
Nov. 30. Suffolk.	Mary and Susan, the two daughters and co-heirs of John James, deceased.	The custody granted to Mary James, the mother, to the use of the wards for the fine of - - - - - - - - To be paid 20*l.* in hand, the rest at two six months.	60 0 0
		The lease is granted to the said Mary James to the use of the wards at the yearly rent of - - - - - - -	4 18 0
Dec. 1. York.	Wm., son and heir of Wm. Norrison, deceased.	The custody granted to Mary Norrison, the mother, to the use of the ward for the fine of - - - - - - - - To be paid in hand.	6 13 4
		The lease is granted to the said Mary Norrison to the ward's use for the fine of - - - - - - - -	0 18 0

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Date and County.	Name of Ward, &c.	Proceedings.	£ s. d.
1640. Dec. 1. Essex, Suffolk.	Wm., son and heir of Wm. Parke, deceased.	The custody granted to Wm. Parke, the ward, to his own use for the fine of To be paid half in hand, the rest at six months. The lease is granted to the said Wm. Parke to his own use at the yearly rent of	50 0 0 0 18 0
Dec. 1. Lancaster.	Tho., son and heir of John Yeates, deceased.	The custody granted to Ellen Yeates, the mother, to the use of the ward for the fine of To be paid in hand. The lease is granted to the said Ellen to the use of the ward at the yearly rent of	2 0 0 0 8 0
Dec. 1. Lancaster.	Wm. Burgh, a lunatic	The custody granted to Alice Burgh, sister-in-law to the lunatic, without fine or rent; taking first bonds with sureties for the performance of the covenants.	
Dec. 7. Warwick.	Wm., son and heir of John Peers, deceased.	A lease only in this case after the death of Anne Peers, the ward's mother, who died May 10, 1640; the wardship being compounded Nov. 5, 1639. The lease during minority is granted to Wm. Parkins, John Staunton, and Mark Turkington, to the use of all the children at the yearly rent of	4 18 0
Dec. 7. London, Middlesex.	Philadelphia and Jane Carr, cousins and co-heirs of Sir Edwd. Carr, Knt., deceased.	A lease only after the death of the ward's father, the wardship being compounded formerly. The lease during the minority is granted to Sir Richard Onslow the ward's uncle, to the use of the wards for the rent of	0 8 0
Dec. 7. Hertford, Bedford.	Katherine Ferrers, grandchild and next heir of Sir John Ferrers, Knt., deceased.	The lease during the minority is granted to Sir Thos. Fanshawe, K.B., and to Simeon Fanshawe and Katherine his wife, the ward's mother, to the use of the ward at the yearly rent of	89 16 0
Dec. 2. Berks.	Joan Burnett, alias Cornish, sole daughter and heir of Tho. Burnett, alias Cornish, deceased.	The custody granted to Bridget Burnett, alias Cornish, to the ward's use for the fine of To be paid in hand. There is no lease in this case.	1 10 0
Dec. 15. Salop.	Edward, son and heir of Coningsby Freeman, deceased.	A lease only after the death of Katherine, the ward's grandmother. The lease granted to Beatrix Freeman, the ward's mother, to the use of the younger children, at the yearly rent of	24 18 0
Dec. 8. Leicester, Rutland, Derby.	Tho., son and heir of Sir Henry Mackworth, Bart., deceased.	The custody granted to Dame Mary Mackworth the mother, to the ward's use for the sum of To be paid 200*l.* in hand, the rest at six six months, with the exhibition of 10*l.* The lease is granted to the said Lady Mackworth to the use of all the children, at the yearly rent of	800 0 0 99 16 0
Nov. 30. Stafford.	Christopher, son and heir of Edward Collyer, deceased.	The custody granted to Peter Venables, Barron of Kinderton, to the ward's use for the fine of To be paid 20*l.* in hand, the rest at five six months, with the exhibition of 2*l.* The lease is granted to the said Peter Venables to the ward's use at the yearly rent of	120 0 0 19 18 0
Dec. 1. Warwick.	Katherine Greswold	The third part of the lands late of John Greswold is assigned to Katherine, the late wife of the said John, in lieu of her dower, with license to marry, for the fine of	0 10 0
Dec. 15. Suffolk, Essex, Cambridge.	Wm., son and heir of Sir John Prescott, Knt., deceased.	The custody granted to Dame Gresagon Prescott, the mother, to the use of the ward for the fine of To be paid 100*l.* in hand, the rest at five six months with the exhibition of 15*l.* The lease is granted to the said Dame Gresagon to the use of all the children for the rent of	600 0 0 149 16 0
Dec. 16. York.	Edward, son and heir of Edwd. Nelthrope, deceased.	The custody granted to Katherine Nelthrope the mother, to the use of the ward for the fine of To be paid half in hand, the rest at six months. The lease is granted to the said Katherine to the use of the ward at the rent of	40 0 0 0 18 0
Dec. 1. Lincoln.	George, son and heir of Tho. Southcott, deceased.	The custody granted to Robert, Earl of Lindsey, and Anne Southcott the mother, to the use of the ward for the fine of To be paid 400*l.* in hand, the rest at six six months, with the exhibition of 2*l.* 13*s.* 4*d.* The lease is granted to the parties above said to the use of the ward at the yearly rent of	1,000 0 0 2 11 4
Dec. 13. Salop.	Philip, son and heir of Thos. Jennings, deceased.	A lease only in this case, for that the ward was married in the lifetime of his father. The lease during the minority is granted to Gerrard Eyton to the ward's use at the yearly rent of	4 16 0

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Date and County.	Name of Ward &c.	Proceedings.	£ s. d.
1640. Dec. 2. Warwick.	Sam., son and heir of Wm. Vyner, deceased.	The custody granted to Thomas Vyner, the uncle, to the use of the ward, for the fine of To be paid half in hand, the rest at six months. The lease is granted to the said Thos. Vyner to the use of the ward at the yearly rent of	40 0 0 0 1 4
Dec. 7. Herts.	Katheri ne Ferrers, daughter and heir of Knighton Ferrers, deceased.	The custody granted to Sir Thomas Fanshawe, K.B., and to Simeon Fanshawe and Katherine his wife, the ward's mother, to the ward's use for the fine of To be paid 200*l.* in hand and the rest at eight six months with the exhibition of 2*l.* The lease is granted to the said parties to the ward's use at the yearly rent of	1,200 0 0 19 18 0
Dec. 7. Devon.	James, son and heir of Robert Waymouth, deceased.	The custody granted to Mary Waymouth, the mother, to the use of the ward for the fine of To be paid half in hand the rest at six months. The lease is granted to the said Mary Waymouth to the use of all the children for the rent of	40 0 0 4 18 0
Dec. 7. Chester.	George son and heir of George Bostocke, deceased.	Make a lease of the premises until livery be sued unto Wm. Kayes by virtue of an order of Nov. 28 last at the yearly rent of Fra. Cottington.	0 5 0
Dec. 7. York.	Richard Milner, grandchild and next heir of Richard Milner, deceased.	A lease only of a third part, the wardship was formerly compounded. The lease during the minority is granted to Stephen Mason to his own use at the yearly rent of	6 11 4
Nov. 30. Chester.	Isabel, daughter and heir of William Davenport, deceased.	The custody granted to Sir Thomas Millward, Knt., Chief Justice of Chester, the grandfather, to the use of the ward for the fine of To be paid 100*l.* in hand, the rest at five six months with the exhibition of 2*l.* 13*s.* 4*d.* The lease during the minority is granted to the said Sir Thos. Millward to the ward's use at the yearly rent of	350 0 0 26 13 4
Dec. 8. Lincoln.	Mary, daughter and heir of Richard Russell, deceased.	The custody granted to Honor Russell, the mother, to the use of the ward for the fine of To be paid 20*l.* in hand, the rest at two six months with the exhibition of 1*l.* The lease is granted to the said Honor Russell to the ward's use at the yearly rent of	50 0 0 9 18 0
Dec. 10. Suffolk.	Sir Lionel Tallemache, Bart, son and heir of Sir Lionel Tallemache, Knt. and Bart., deceased.	The custody granted to Dame Eliz. Tallemache, the mother, to the use of the ward for the fine of To be paid 300*l.* in hand, the rest at six six months with the exhibition of 35*l.* The lease is granted to the said Dame Eliz, to the use of the ward and all the children unmarried at the yearly rent of	1,500 0 0 349 10 0
Dec. 1. Lincoln Middlesex, London.	Vincent, son and heir of Vincent Amcotts, deceased.	The custody granted to Vincent Sheffield to the use of the ward for the fine of To be paid half in hand the rest at six months. The lease is respited till the Ignoramus be perfected.	66 13 4
Dec. 8. Notts.	Eliz., Mary, and Frances, the three daughters and co-heirs of Richard Yarborough, late within age, deceased.	The custody granted to Frances Yarborough, the mother, and Hugh Taylor, the grandfather, to the use of the wards for the fine of To be paid half in hand, the rest at six months. The lease is granted to the parties above-said to the use of all the children for the fine of	50 0 0 4 18 0
Dec. 8. Berks.	Sarah Pillion, widow, being a lunatic, not able to govern herself nor her estate.	The custody granted to Edward Burges and Thos. Mountague without fine or rent, taking first bonds with sureties for performance of the covenants.	
Dec. 2. Bucks.	Henry, son and heir of John Francklyn, deceased.	The custody granted to Henry Francklyn, James Sale, the elder, and his son, James Sale, to the use of the ward for the fine of To be paid half in hand the rest at six months with the exhibition of 1*l.* The lease is granted to the parties abovesaid to the use of the ward at the yearly rent of	40 0 0 9 18 0
Dec. 15. Essex, Hereford.	Earl of Oxford	Mem.—This day my Lord altered the schedule of the Earl of Oxford, the fine being 66*l.* 13*s.* 4*d.*, was installed June 30, 1633, to be paid then 13*l.* 6*s.* 8*d.* in hand and so much every six months till the whole 100 marks were paid in: done in the time of Sir Robt. Naunton's being Master of the Wards. (N.B. There was only 13*l.* 6*s.* 8*d.* paid in part of the fine, for which an acquittance was produced.) And the day and year above-said on the petition of my Lord Marshal and my Lord of Bedford he altered it thus:—Let this grant be past, and the rest of the money paid by the first day of Hilary term next. Fra. Cottington.	

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Date and County.	Name of Ward, &c.	Proceedings.	—
1640. Dec. 2. Berks.	Wm., son and heir of Richard Bond, deceased.	The custody granted to Jane Bond, the mother, to the use of the ward, for the fine of - - - - - - - - - To be paid half in hand, the rest at six months. The lease is granted to the said Jane Bond to the use of the ward for the rent of - - - - - - - - -	£ s. d. 20 0 0 0 4 8

Minutes of Petitions and other Proceedings in the Court of Wards.

Hilary Term.

Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640-1. Feb. 11. Jan. 23.	Thos. Warmstrey, clerk, *v.* Thomas Marriott et al. defendants, et e contra.	—	——	——
Feb. 6. Jan. 23.	Joseph Colfe, *v.* Wm. Brigham, clerk, defendant.	—	——	——
Jan. 23. Beds.	Sir Wm. Vaughan, Knt., father-in-law of the ward.	Francis Lord Cottington.	Petitioned for a lease of lands descended to Robert Barnardiston by the death of Henry Barnardiston, late of Northill, co. Beds., his father, who died about the beginning of this January, seised of lands in co. Beds., the said ward being about 20 years of age, and having married Ann, the petitioner's daughter, about a year since.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Easter term next.
Jan. 23. Somerset.	Wm. Prowse being requested by the mother of the ward before her death, and also by the ward himself, as appears by his petition.	Do.	Petitioned for the wardship of Francis Cox, son and heir of Mary Cox, widow, who died about 14 days since, seised of lands in Somerset.	Commission decreed as above, returnable the first sitting in Easter term next.
Jan. 26. Co. of the City f York.	Wm. Ingleby, brother and heir of John Ingleby, his Majesty's late ward, deceased, within age.	Do.	The former wardship was granted de herede in heredem, wherefore there is only a lease in this case.	The lease during minority granted to Miles Richardson, to the use of the ward at the yearly rent of 3*l.* 6*s.*
Jan. 25. Wilts.	Alice Forman, widow, mother of the wards.		For respite to return the office after the death of Rich. Forman, late of Chippenham, Wilts., and to compound for the wardship of his daughters till next term alleging she wanted evidence to prove his Majesty's tenure. She likewise desires a Mandamus, the year being expired since the death of the father.	Petitioner to return the office and attend with a schedule, &c. the first sitting in Easter term next; and a Mandamus awarded Jan. 26.
Jan. 25. Co. York.	Henry Wade	Do.	For the neglected wardship of John Shepheard, cousin and heir of John Shepheard, who died about four months since, seised of lands in co. York for which no suit hath been made.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Easter term next. Jan. 26.
Jan. 26. Surrey.	Parnell Smith, widow, mother of the ward.	Do.	For respite to return the office after the death of Wm. Smith, her late husband, until the latter end of this term, alleging that the evidences are in several men's hands.	To return the office and attend with a schedule the last sitting in this Hilary term. Jan. 27. Mem.—Feb. 10, altered by his Lordship to the third sitting in Easter term next.

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Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640-1. Jan. 30. Essex.	Hester Paul, widow, mother of the ward.	Francis Lord Cottington.	For respite to return the office after the death of Smith, (sic) her late husband, until next term; alleging that she cannot get the evidences into her hands concerning the estate.	Let petitioner return the office and attend with a schedule the second sitting in Easter term next. Feb. 1, 1640[-1].
Jan. 30. Herts.	Wm. Ewer, Henry Feild, Henry Child, and Wm. Welch, executors of the last will of Thomas Child, deceased, the mother being also dead.	Do.	For the wardship of John, son and heir of the said Thos. Child, who died about a fortnight since, seised of lands in Abbot's Langley, and Sarratt, Herts.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Easter term next. Feb. 1.
Jan. 27. York.	Richard Ethrington	Do.	For the concealed wardship of Thomas, son and heir of Wm. Simpson, who died about two years since, seised of lands in co. York, whereof no office hath been found.	Let petitioner have a writ de Mandamus to find the office, returnable to me in Easter term next. Fra. Cottington, Jan. 28.
Jan. 27. Kent.	Elizabeth Beeston, widow, mother of the ward.	Do.	For the wardship of John, son and heir of Richard Beeston, clerk, her late husband, who died Jan. 3 inst., seised of lands in Kent.	Commission de diem, &c. to find the office decreed, returnable the first sitting in Easter term next. Jan. 28.
Jan. 27. Chester.	Sir Richard Young, Knt. and Bart., committee of Peter Dutton, his Majesty's ward.	Do.	For a lease of lands descended to the ward by the death of Margaret Yates, his mother, who died about 14 days since, and held divers lands in co. Chester, for her jointure during her life.	Petitioner to attend with a schedule, &c. the fifth sitting this instant Hilary term. Jan. 28.
Jan. 27. York.	Seza Gibbon, widow, mother of the ward.	Do.	For the wardship of the son and heir of Thomas Gibbon, her late husband, who died about three weeks since, seised of lands in co. York.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Easter term next. Jan. 28.
Jan. 26. Essex.	Mary Collin, widow, mother of the ward.	Do.	For respite to return the office, after the death of John Collin, her late husband, till next term; alleging that she hath done her endeavour, but wants evidences.	To return the office and attend with a schedule, &c. the first sitting in Easter term next. Jan. 28.
Jan. 30. Derby.	Elizabeth Taylor, mother of the ward.	Do.	For the wardship of Lydia Taylor, daughter and heir of Paul Taylor, petitioner's late husband, who died about three weeks since, seised of lands in co. Derby.	Commission de diem, &c. to find the office decreed, returnable the first sitting in Easter term next. Feb. 1.
Jan. 29. Cambridge.	James Symes -	Do.	For the custody of Philip Hattey, of Over, co. Cambridge, who hath been a long time a lunatic and not able to govern himself nor his estate, which lies in the county aforesaid.	Commission de Lunatico inquirendo to find the office decreed, returnable the third sitting in Easter term next. Jan. 30.
Jan. 29. Cambridge.	Thomas Trott -	Do.	For the concealed wardship of the heir of Richard Richards, late of Milton, co. Cambridge, who died five years since, seised of lands in the said co., whereof an office was found against his Majesty two years since, and wherefore petitioner desires a Melius inquirendo.	Writ de Melius inquirendo to find the office decreed, returnable in Easter term next. Jan. 30.
Feb 6 Middlesex, Cornwall, and Devon.	Walter Smith and Mary his wife, sister and heir of Nicholas Poynter. late his Majesty's ward, deceased, before livery sued.	Do.	For a writ to find an office after the death of the said Nicholas Poynter, who died 26th Jan. last, seised of lands in Middlesex, Cornwall, and Devon, the petitioner, Mary, being his heir and of full age.	Petitioners to have a commission de Devenerunt to find the office, and after to proceed to sue forth livery. Feb. 8, 1640[-1].

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Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Feb. 5. Wilts.	Tho. Beverley	Francis Lord Cottington.	For the concealed wardship of the heir of John Lowe, who died above a year since, seised of lands in Wilts. et al. whereof no office hath been found.	Commission de Mandamus to find the office decreed, returnable in Easter term next. Feb. 6.
Feb. 4. Somerset.	Robert Cox, uncle to the ward.	Do.	For the wardship of Francis Cox, son and heir of Mary Cox, widow, who died about three weeks since, seised of lands in Somerset.	There is a warrant for a writ formerly awarded, and the office returnable the first sitting in Easter term next, when petitioner may attend as a competitor concerning the said wardship. Feb. 6.
Feb. 8.	Elizabeth and Anne Browne, daughters and co-heirs of Thos. Browne, Bart., deceased.	—	Mem.—According to an order of Feb. 1 inst., upon a rule given in the Council Chamber, and upon Mr. Auditor Jas. Tooke's blank warrant, my Lord allowed 25*l.* more by way of increase of exhibition to the said wards, towards their better maintenance, out of the rent of 250*l.*, so the exhibition is in all 50*l.* The warrant was dated Feb. 8, 1640[-1].	——
Feb. 5. Suffolk.	Margaret Leman, widow, mother of the ward.	Francis Lord Cottington.	For respite to return the office after the death of Thomas Leman till next term, alleging that by reason she wanted evidences she could not get it found.	To return the office and attend with a schedule, &c. the first sitting in Easter term next. Feb. 6.
May 20, 1641. Feb. 9.	Wm. Hide *v.* Rich. Wolfe et al. defendants.	—	——	——
Jan. 30. Essex.	Anthony Knightsbridge.	Francis Lord Cottington.	For the concealed wardship of Wm., son and heir of Wm. Tatem, who died four years since, seised of lands in Essex, whereof no office hath been found, but the same rests concealed.	Commission de Mandamus to find the office decreed, returnable in Easter term next. Feb. 1.
Feb. 3. London.	Elizabeth Fisher, Tobias Dixon, and Octavian Pullen.	Do.	For the commitment of Francis Fenley, his Majesty's ward, for that Jane Fisher, the late committee of the said ward, is lately dead, and made the petitioner, Elizabeth, her sole executrix, and the other two petitioners her overseers.	Let this be moved upon the next sitting at compositions, and further consideration shall be had of the petitioners' request. Fra. Cottington.
Jan. 30. York.	Richard Thorpe	Do.	For respite to return the office after the death of John Thorpe in co. York till next term, alleging that by reason of the troubles in Yorkshire he could not get the office found last vacation.	Petitioner to return the office and attend with a schedule, &c., the second sitting in Easter term next. Feb. 1.
Feb. 11. Feb. 5.	Tho. Hawlett, clerk, *v.* George Dun Goreing, defendant.	—	——	——
Feb. 3. Cornwall.	Richard and Thos. Kendall, uncles of the ward.	Francis Lord Cottington	For the wardship of the son and heir of John Kendall, who died about three weeks since, seised of lands in Cornwall.	Commission de diem, &c. to find the office decreed, returnable the third sitting in Easter term next. Feb. 4.
Jan. 30. Essex.	Philip Lord Herbert, and Lady Penelope his wife, mother and committee of Penelope, and Ann Bayning, his Majesty's ward.	—	Memorand. upon their petition and upon Mr. Auditor's [Tooke] blank warrant, my Lord allowed the sum of 48*l.* for exhibition to the wards out of three several rents of 400*l.*, 30*l.*, and 50*l.*, and the warrant was signed Jan. 30, 1640[-1], and directed to Sir Miles Fleetwood, Knt., Receiver General.	——

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Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. Feb. 3. Kent, Hants.	Katherine Mills, widow, mother, and John Mills, uncle of the ward.	Francis Lord Cottington.	For respite to return the office after the death of James Mills, late of Bitterne, co. Southampton, till next term, alleging that they wanted evidences to prove the tenure.	To return the office and attend with a schedule, &c. the sitting upon compositions in Easter term next.
Feb. 8.	James Waad, plaintiff, *v.* Wm. Cole, and others, defendants.	Do.	By order of Feb. 4 inst., upon defendant's desire, you appointed a re-hearing of this cause, the defendant being required to petition you for that purpose, who has hitherto neglected the same. Therefore petitioner prays it may be re-heard next Thursday, defendant to attend by his counsel, or in default that the decree already made may be entered without further order or motion.	This cause to be heard first next Thursday, and defendants to attend then with their counsel.
Feb. 6. Northampton.	Eliz. Breton, widow, mother of the ward.	Do.	For the wardship of Francis, son and heir of Robert Breton, petitioner's late husband, who died 16 Jan. last, seised of lands in co. Northampton.	Commission de diem, &c. to find the office decreed, returnable the second sitting in Easter term next. Feb. 8.
May 13, 1641. Feb. 9.	John Hide *v.* Wm. Hide, &c., defendants.	—	——	——
May 15. Feb. 9.	Wm. Faldor *v.* Sir Edward Underhill, &c., defendants.	—	——	——
May 13. Feb. 9.	John Walker *v.* Thos. Lockwood, &c., defendants, pauper.	—	——	——
Feb. 6. Dorset.	Richard King and Richard Rives being desired to be suitors for the wardship by writing under the father's hand.	Francis Lord Cottington.	For the wardship of Robert, son and heir of Henry Seymour, late of Hanford, Dorset, who died above a month since, seised of lands in Dorset.	Decreed as above. Feb. 8.
Feb. 8. Northampton.	Alice Downes, widow, mother of the ward.	Do.	For respite to return the office after the death of Francis Downes, her late husband, till next term, alleging she is not able to come up to town till then.	To return the office and attend with a schedule, &c. the first sitting in Easter term next. Feb. 9.
Feb. 8. Lincoln.	Ann Northan, widow, mother of the ward.	Do.	For the wardship of Richard son and heir of Wm. Northan, her late husband, who died 14 days since, seised of lands in co. Lincoln.	Commission de diem, &c. to find the office decreed, returnable the third sitting in Easter term next. Feb. 9.
Feb. 8. Somerset.	Wm. Forde, grandfather of the ward.	Do.	For respite to return the office after the death of John Forde in co. Somerset till next term, for that the feodary of the said co. was come to town before the commission came into the country.	Petitioner to return the office and attend with a schedule, &c. the first sitting in Easter term next. Feb. 9.
Jan. 28. Suffolk.	Ann Elmy, widow, mother of the ward.	Do.	For the wardship of the daughter and heir of John Elmy, her late husband, who died about a month since, seised of lands in Palgrave, Suffolk.	Writ de diem, &c. to find the office decreed, returnable the second sitting in Easter term next. Jan. 30.
Jan. 28. Norfolk.	Mary Gostlyn, widow, mother of the ward.	Do.	For the wardship of the [son and] heir of John Gostlyn, her late husband, who died about 14 days since, seised of lands in Norfolk.	Ordered as above. Jan. 30.

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Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1610. Feb. 4. Suffolk.	Anna Middleton, widow, mother of the ward.	Francis Lord Cottington.	For the wardship of the son and heir of John Middleton, her late husband, who died about three weeks since, seised of lands in Suffolk.	Commission de diem, &c. decreed returnable the third sitting in Easter term next. Feb. 5.
Feb. 6. Northumberland.	Dorothy Heron, widow, mother of the lunatic, and John Heron her brother.	Do.	For the custody of Cuthbert Heron, who is a lunatic not able to govern himself nor his estate, which lies in co. Northumberland.	Commission de Lunatico inquirendo decreed, returnable the first sitting in Michaelmas term next. Feb. 9.
Feb. 8. Devon.	John Taverner.	Do.	For the custody of Florence Banister, a lunatic, to be transferred to the petitioner; Eliz. Fortescue, who was the former guardian of the lunatic, to whom it was granted under the seal of this Court being lately dead.	Let this be moved at the next sitting upon compositions and further consideration shall be had of petitioner's request. Fra. Cottington.
Feb. 9. Leicester.	John Stanton of London.	Do.	For the concealed wardship of Ann Eyricke, daughter and heir of John Eyricke, late of Queenborough in co. Leicester, who died about eight years since, seised of lands in Houghton, in co. Leicester, whereof no office hath been found.	Commission de Mandamus to find the office decreed, returnable in Easter term next. Feb. 11.
Feb. 11. Devon.	Joan Allen	Do.	For the custody of John Allen, of Hunshawe, Devon, blacksmith, petitioner's husband, being a lunatic not able to govern himself nor his estate which lies in Devon.	Writ de Lunatico inquirendo to find the office, returnable the fourth sitting in Easter term next.
May 15. Feb. 11.	Edmund Rossiter *v.* Robert Legard et al.	—	——	——
May 18. Feb. 12.	Tho. Ballard *v.* Anthony Collett, &c., defendants.	—	——	——
Feb. 11. Surrey.	Lettice Woodroff, widow, the mother, George Duncombe, and John Machell, committees of Tho. Woodroff, his Majesty's ward, son and heir of Robert Woodroffe, deceased.	Francis Lord Cottington.	For a lease of lands descended to the ward by the death of Sir Tho. White, Knt., who was uncle and one of the committees of the ward and died Jan. 25 last, seised of lands in Surrey et al. the wardship of the said heir was granted to petitioners and Sir Thos. White in July 1639.	Commission de diem, &c. to find the office decreed, returnable the third sitting in Easter term next. Feb. 12.
Feb. 11. Gloucester, Warwick.	James Walbancke, clerk, grandfather of the ward by the mother's, side, the mother being also dead.	Do.	For the wardship of Robert Pettifer, son and heir of Robert Pettifer, late of Coleshill, co. Warwick clerk, who died about 14 days since, seised of lands in co. Gloucester, &c.	Ordered as above.
May 13. Feb. 15.	Thos. Muschampe *v.* Philip Watson, &c. defendants.	—	——	——
May 18. Feb. 15.	Anthony Faunt *v.* Anthony Wigley.	—	——	——
May 20. Feb. 15.	Dorothy Lady Gerrard *v.* Thos. Brewer et al. defendants.	—	——	——
May 22. Feb. 15.	Edward Rossiter *v.* Robert Legard, &c. defendant.	—	——	——
May 24. Feb. 15.	Thos. Wickham *v.* Jane Wickham, widow et al. defendants.	—	——	——

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Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. May 15. Feb. 16.	Henry Slater *v.* Thos. Greenwood.	—	——	——
May 18. Feb. 16.	Tho. Cholmondeley, &c. *v.* Edmund Peshall, &c. defendants.	—	——	——
May 18. Feb. 16.	Jane Hind *v.* John Rouse.	—	——	——
May 17. Feb. 16.	Joseph Colfe *v.* Wm. Brigham, clerk.	—	——	——
Feb. 14. Worcester.	Dame Ann Cornwall, widow, grandmother of the ward.	Francis Lord Cottington.	For respite to return the office after the death of John Barneley, in co. Worcester, till next term, suggesting she was hindered by a title claimed by a mean lord.	To return the office and attend with a schedule, &c. the first sitting in Easter term next. Feb. 15.
March 3. Lancaster.	Thomas Stanley, committee of the body and lands of Margaret Ireland, his Majesty's ward.	Do.	To have a commission renewed which was granted in Michaelmas term last to the feodary of co. Lancaster, to view the decay of the houses and trees growing on the ward's lands, and what trees will serve for the repair of the said houses; which commission was directed to be returned Octavis Purificationis [Feb. 2] last, but by reason the vacation was so short and winter time the feodary went not down into the country.	Let the former order directed to the feodary of co. Lancaster be renewed as is herein directed, and let an order be drawn up accordingly. Fra. Cottington.
Feb. 26. Dorset.	Henry Broade - -	Do.	For the neglected wardship of Edward, son and heir of Wm. Lawrence, late of Maiden Newton, Dorset, who died 22 September last, seised of lands in the said county whereof no office hath been found, nor suit made for the wardship; and as the friends of the heir have all the writings in their hands, for which petitioner must prefer an Information; she desires respite to return the office till the cause be heard in Court.	Let petitioner proceed with effect to the hearing of the cause, and after let him have a writ de diem, &c. to find the office, returnable after the cause is heard, and further consideration shall be had, &c. Fra. Cottington.
May 20. Feb. 28.	Tho. Pordage *v.* Dorothy Lady Gerrard, alias Woodroffe, defendant.	—	——	——
March 8. Lancaster.	Sir Kenelm Digby, Knt., and Anne Erdiswicke, widow, mother of the ward.	Francis Lord Cottington.	For the wardship of Sampson, son and heir of Richard Erdiswicke, who died six months since, seised of lands in co. Lancaster, for which wardship petitioner formerly petitioned and had directions for a writ, whereupon they have found an office, and an Ignoramus for the tenure, wherefore they desire a Melius inquirendo, &c.	Commission de Melius inquirendo decreed, returnable the fourth sitting in Easter term next. March 9.
March 9. Chester, Derby.	Sir Thos. Aston, Bart., in behalf of Mary Leigh, widow, mother of the ward.	Do.	That the wardship of Dorrell Leigh, son and heir of John Leigh, his Majesty's late ward, who died very lately, seised of lands in the co. palatine of Chester and in co. Derby, may be granted to the said Mary Leigh to the ward's use, petitioner being cousin-german to the ward.	Commission de diem, &c. to find the office decreed. returnable the fifth sitting in Easter term next.

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Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. March 9. Derby, &c.	Sir Thomas Aston, Bart., having married the eldest daughter of the lunatic.	Francis Lord Cottington.	For the custody of the body and government of the estate of Sir Henry Willoughby, Bart., who hath been for divers months past visited with great weakness and distraction of mind and sense, and being seised of manors and lands and of a great personal estate in co. Derby and other counties.	Commission de Lunatico inquirendo to find the office decreed, returnable the fifth sitting in Easter term next.
March 6. Gloucester.	Dame Mary Sandys, widow, mother of the ward.	Do.	For the wardship of the grandchild and next heir of Sir Wm. Sandys, Knt., who died about eight days since, seised of lands in co. Gloucester et al.	Commission de diem, &c. to find the office decreed, returnable the fourth sitting in Easter term next. March 8.
March 9. Worcester.	Alice Brook, widow, mother of the ward.	Do.	For the wardship of the son and heir of John Brooke, her late husband, who died above a month since, seised of lands in co. Worcester.	Commission decreed as above, returnable the third sitting in Easter term next.
March 9. Hereford.	Ursula Hall, widow, mother of the ward.	Do.	For respite to return the office after the death of Michael Hall, her late husband, till next term, alleging she wants evidences to prove the tenure.	To return the office and attend with a schedule, &c. the second sitting in Easter term next.
March 10. Carnarvon, Denbigh, Merioneth.	Katherine Wynn, widow, mother of the ward.	Do.	For the wardship of Hugh, son and heir of Robert Wynn, her late husband, who died about 14 days since, seised of lands in those counties. The ward aged 20.	Commission de diem, &c. to find the office decreed, returnable the sixth sitting in Easter term next.
March 8. Westmoreland.	Winifred Brathwaite, widow, mother of the ward.	Do.	For the wardship of Thomas. son and heir of George Brathwaite, her late husband, who died 14 days since, seised of lands in co. Westmoreland.	Commission decreed as above, returnable the fifth sitting in Easter term next. March 9.
May 22, 1641. Mar. 9, 1640[-1].	Wm. Palmer *v.* Ann Beste.	—	——	——
Eodem die.	Wm. Palmer *v.* John Warre.	—	——	——
March 11. Salop.	Joan Pugh, mother of the ward.	Francis Lord Cottington.	For respite to return the office after the death of Roger Pugh, her late husband, till next term; for that the escheator and feodary were both in London all last vacation.	To return the office, and attend with a schedule as above.
March 11. Dorset.	Katherine Chaldecott, widow, mother of the ward.	Do.	For the wardship of Katherine, sole daughter and heir of Andrew Chaldecott, petitioner's late husband, late of East Whiteway, Dorset, who died Feb. 22 last, seised of lands in Dorset.	Commission de diem to find the office decreed, returnable as above.
May 13, 1641. Mar. 5, 1640[-1].	Charles Forster *v.* Bazil Brooke, Knt., &c., defendants.	—	——	——
March 24. London.	Joan Macrowe, widow, mother of the ward.	Francis Lord Cottington.	For the wardship of the son and heir of John Macrowe, scrivener, her late husband, who died 10 days since, seised of lands in London et al. She likewise desires a writ de Idiota inquiranda, the heir being an idiot.	Writs de diem, &c. and de Idiota inquiranda decreed to find the office, returnable the third sitting in Easter term next.

Vol. CCCCLXX. 113. Entry Book of Proceedings, &c.

Date and County.	Whom from.	Whom to.	Subject Matter.	Order thereupon.
1640. March 26. Derby.	Elizabeth Buxton, widow, grandmother of the ward, and Henry Buxton, her son, uncle of the ward, the mother being dead.	Francis Lord Cottington.	For the wardship of Richard, son and heir of John Buxton, late of Brassington, co. Derby, who died March 3 instant, seised of lands in Brassington, Buxton et al. in co. Derby.	Commission de diem, &c. to find the office decreed, returnable the fifth sitting in Easter term next.
Feb. 15. Hertford.	Lucius Lord Falkland.	Do.	For a writ to find an office after the death of the Right Honourable Henry late Lord Falkland, his father, who died above a year since, seised of lands in co. Herts., petitioner being of full age.	Let his Lordship have a writ or commission de Mandamus to find the office, and after let him proceed to sue forth his livery. Fra. Cottington, Feb. 16.
March 19. Salop, Oxon., Worcester.	John Riley - -	Do.	For the concealed wardship of Edward, son and heir of Coningsby Freeman, who died about a year and a half since, seised of lands and of the manor of Neen Sollars, in co. Salop, lands in co. Oxon., and in Evenlode, in co. Worcester, for which wardship Beatrice Freeman, the ward's mother, petitioned, found an office, and compounded; but in the office divers lands in co. Worcester are omitted, and ever since concealed, wherefore petitioner desires a Mandamus to find a new office in co. Worcester.	Writ de Mandamus to find the office decreed, returnable in Easter term next. March 21.
March 27. Hereford.	Katherine Carpenter, widow, mother of the ward.	Do.	For the wardship of Thomas, son and heir of John Carpenter, her late husband, late of Tillington, co. Hereford, who died about a week since, seised of lands in co. Hereford.	Commission de diem to find the office decreed, returnable the sixth sitting in Easter term next. March 29.
March 31. Suffolk.	Robert Gooch -	Do.	For a lease of lands descended to Leonard Gooch, petitioner's son, by the death of Leonard Holmes, late of Great Yarmouth, co. Norfolk, merchant, grandfather of the said Leonard, who died about three weeks since, seised of lands in Suffolk.	Commission de diem, &c., to find the office decreed returnable the fifth sitting in Easter term next. April 1.

Vol. CCCCLXXI. November 1–19, 1640.

Nov. 1. 1. The King to Lord Treasurer Juxon and Francis Lord Cottington. We have given leave to the Soapmakers' Company, London, to sell the soap they shall make, or now have on hand, at the cheapest rate they can afford. We, therefore, give you warrant henceforth to deduct, from their account the 8*l.* per ton payable to us, until we declare our pleasure to have it renewed. [*Draft.* ⅔ *p.*]

Nov. 1. 2. Certificate by Richard Poole, receiver of saltpetre and gunpowder, of the saltpetre delivered to Samuel Cordewell, his Majesty's gunpowder-maker, from November 1st, 1639, to November 1st, 1640. The total brought into his Majesty's stores during these 12 months was by the saltpetremen 160 lasts 10 cwt. 3 qrs. 10 lbs. and by the merchants 45 lasts 14 cwts. 2 qrs. 27 lbs., making in all

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at 18 cwts. per last 206 lasts 7 cwt. 1 qr. 9 lbs., so there wants of the assigned proportion only 29 lasts 8 cwt. 1 qr. 17 lbs. [1 *p.*]

Nov. 1. Office of Ordnance. 3. Account by the Officers of the Ordnance of gunpowder received into and issued out of his Majesty's stores during October 1640. There is remaining in the Tower 114 lasts 14 cwts. 87 lbs., and at Portsmouth 75 lasts 11 cwts. 54 lbs. Total, 190 lasts 2 cwt. 41 lbs. [*Endorsed by Nicholas:* "Received 10th November." 2 *pp.*]

Nov. 1. 4. Matthew Bradley to Sir Wm. Uvedale, Treasurer-at-Wars. Deduct out of the next money you send me 200*l.*, and pay it to Robert Scawen, in satisfaction of the 160*l.* granted him by his last warrant, and of 40*l.* he has to-day delivered me. [½ *p.*] *Underwritten,*

4. 1. *Receipt by Robert Scawen for* 200*l. received from Sir William Uvedale,* 1 *December* 1640. [¼ *p.*]

Nov. [2.] Whitehall. 5. Warrant of the Council [to Henry Wollaston, keeper of Newgate Prison], to set James Criton [Crichton] at liberty. [1 *p.*]

Nov. $\frac{2}{12}$. Hague. 6. Charles Louis, Elector Palatine, to Sir Thos. Roe. I have received yours of October 7 by Sir Richard Cave, and of the 22nd by the ordinary [post], both put me in hopes of a good accommodation of your domestic troubles. It seems the Danish Ministers did not know the Duke de Bavière [Bavaria] had submitted our difference to the King of Denmark's mediation, and that it depends on no further delay than for the King of Hungary to name the place and time of meeting, as you will find by this copy of a letter from the Danish Minister at Ratisbon; therefore I have sent to the King of Denmark to be more clearly informed of it, and to know if I may come to him about that business. I have let Sir H. Vane know thus much, and I beseech you to advise the King and myself what is best to do in it, for I fear that under pretence of that particular treaty they will seek to leave me out of the general armistice. The King's return to London and the sitting of the Parliament will cause you many businesses, yet I am confident you will keep room for mine in your thoughts; though I wish for no assistance out of England till the accommodation of its own troubles. [1½ *p.*]

Nov. 2. Newark. 7. Sir William Uvedale, Treasurer-at-Wars, to Matthew Bradley, deputy treasurer. Send me by return of the post that paper you made for the disbursement of the last 20,000*l.*, and for the 15,000*l.* you received last Saturday. Divers extraordinaries have been paid, since that paper was made out, of which I would have a separate note. I desire also to know to what day the Lord General Northumberland was paid by you at London, and how far you think this other 15,000*l.*, which I suppose is now on the way, will pay the army, as I think it will pay both horse and foot only to the 10th of this month. I shall be glad of your opinion on this and all the other businesses concerning the army. P.S.—About Tuxford is the most absolutely ill road in the whole world, which I thank God I am passed.

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[*Dorso*: "Doncaster, 5 Nov., at 3 p.m. *Seal with crest and motto.* 1 *p.*]

Nov. 2. Berwick. 8. Sir James Douglas to [Sec. Windebank]. I enclose an inventory of the losses I have sustained by those of the Covenant for his Majesty's cause. I regret that the greatest wickedness against me was after the conclusion of the truce, as you may perceive by the dates. All this taken from me is besides the loss of all my rent in Scotland; absolutely in Berwick the tenants will pay none because all their goods are taken. I wrote to Mr. Read on other business which I entreated him to impart to you, hoping ever for your best help as occasion offers, and that at least you will let his Majesty know thus much. [*Seal with arms.* 2 *pp.*] *Enclosed,*

8. I. *Account of the damage done by Colonel* [*Robert*] *Monro to Sir James Douglas' house and property at Mordington, amounting to* 1,766*l. worth, also of the damage done to his tenants. They plunder daily what they can and steal in the night, so that we cannot keep anything beyond the shot of Berwick cannon. Thus they did till November* 1*st.* [1½ *p.*]

Nov. 2. 9. Account by Richard Green of his disbursements on Nicholas' property at Longparish. [1 *p.*]

Nov. 3. 10. A note of the beginnings, adjournments, prorogations, continuances, and dissolutions of all the Parliaments from the first of Henry VIII. till the last of Charles I. [*Collected out of Pulton's Abridgment of the Statutes, pub.* 1617. 5¼ *pp.*]

Nov. 3. 11. Note of the method of "the proceeding to the Parliament of the most high and mighty Prince King Charles, on Tuesday November 3, 1640, from Whitehall by water to Westminster Stairs, and thence on foot;" being a list of the names of the officers, lords, and others who formed the Royal procession, and the order in which they went. [3 *pp.*]

[Nov. 3.] 12. A prayer for the good success of the present Parliament in Archbishop Laud's own handwriting. "O, Eternal God and Merciful Father, as it hath pleased Thee to put into his Majesty's heart to assemble a Parliament for the better settling of his affairs both at home and abroad, so I most humbly beseech Thee to bless this great Assembly, and all their counsels, to the good both of the King and his people. [*Erased.* That as it hath been much desired, so it may answer the desires, both of the King and of all his loyal subjects.] And to this end, good Lord, give the King a heart of judgment, to do all that [*erased* and nothing but that] for his people which becomes a good, a gracious, a just, a pious, and a prudent king. And give the Parliament a heart of duty to do all that [*erased* and nothing but that] towards the King, which becomes an obedient, a religious, a moderate, a free, and a wise people. That the King and his people meeting with these affections may go on with mutual comfort and contentment to the great honour of the King, the safety

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of the kingdom and the settlement of true religion, to the final extirpation both of superstition and schism, and the upholding of the true and sincere worship of God in the land. O, Lord, grant this even for Jesus Christ his sake, Amen." [*Endorsed by Laud:* "A prayer." 1 *p.*]

Nov. 3. 13. The King's speech at the opening of Parliament at Westminster this day. [*This speech was never entered in the Journals of the House of Lords, but is twice printed in Rushworth, viz., vol. iii.,* 1335, *and vol. iv., p.* 11; *also in "Cooke's Speeches and Passages in Parliament," ed.* 1641, *p.* 1. *Copy.* 2 *pp.*]

Nov. 3. 14, 15, 16, 17. Four other copies of the above speech differing in some particulars from each other and from the printed versions. [*In all* 8¼ *pp.*]

Nov. 3. Berwick. 18. Sir John Conyers to Sec. Windebank. I received yours of October 20, and with it notice of the cessation of arms from Mr. Treasurer [Vane], which we published here the 1st of this month with drum and trumpet. Monro is still at Sir James Douglas' house at Mordington, a mile and a half hence; he came thither on the evening of the 26th, and notwithstanding the cessation of arms, I believe he will stay there, because it is in the Scottish bounds; besides that he was possessed of the place some hours before the cessation. He began a little fort within the bounds that he ought to quit by the treaty; I have written to him of it, but have no answer. I intended to send to him about it, but to-day Sir Patrick Hebrone [Hepburn] returned this way out of Scotland and promised to speak with their Committee at Newcastle about it, and to send me answer by a trumpeter whom I have sent thither for Lesley's pass for myself to pass to the army. I am commanded by the Lord Lieutenant of Ireland to repair to the army to my charge there; I am therefore ordering matters here for that purpose, and if my pass come from Newcastle I go hence this week. I thank you for your pains about our money, which came to Holy Island two days since and has been brought hither. [*Endorsed:* "Received Nov. 9th." 2 *pp.*]

Nov. 3. 19. Certificate by Sir Francis Carew that he has twice caused Thomas Barker, a man for many years past known unlawfully to frequent the river running between Croydon and Wandsworth [the Wandle], and to take the fish in it at all seasons, to be taken into custody. Being brought before Dr. Barnard he was on the second occasion, for want of bail, committed to the White Lion. [¾ *p.*]

Nov. 3. 20. John Midleton to John Danby. Thanks him for his last letter and prays for another containing the news he says he omitted for fear of miscarriage. P.S.—I received yours of May 5th on the last of October, but your next I hope will come sooner; requests the loan of 5*l.* [1¼ *p.*]

Nov. 4. Huntingdon. 21. Sir William Uvedale to Matthew Bradley, deputy treasurer of the army, at Mr. Phillips' house near the Minster at York. I shall want a muster roll of the army, send me one as soon as the muster

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books are perfected. To-day I met 15,000*l.* going down towards you. I hope it will be with you on Monday [Nov. 9] at the furthest. I left it between Stilton and Stanford. Let me hear from you weekly. [1 *p.*]

Nov. 4. 22. Instructions from the Committee of Estates to the Scotch Commissioners appointed for the treaty at London, about obtaining the Scotch demands and securing a settled peace with England. 1. Your Lordships shall draw up a declaration, to be ready at your meeting with those appointed by his Majesty and the Parliament of England, or on occasion if any of you appear before that Parliament, protesting that your meeting them is not to make them judges of us and our laws, nor that we thereby acknowledge dependence on them or any other, except the King. 2. You are to desire them to take speedy course for payment of the money for maintenance of our army seeing that the shires and towns allotted for that purpose, neither have paid nor are able to pay, especially Newcastle, which cannot pay the arrears before Oct. 16, the wealthy men having fled before we came and not yet returned. 3. To crave that if the treaty break up, which we heartily pray may not be, some days may be allowed for advertising the generals of both armies, that advantage be not taken for want of timely warning. 4. If anything be said to you about the prorogation of the Parliament of Scotland, you are to desire his Majesty will appoint a Commissioner to prorogue it with consent of the Estates, or otherwise that he will not be offended if it be prorogued by the Estates. 5. You are to treat with none but those who have commission from his Majesty and the Parliament. 6. You are to decline any of our countrymen to be on the treaty or assist thereat, whether they be in the commission or no. 7. To desire preference of your business in point of time, as the present distractions are the occasion of the calling of the Parliament, and if they will not prefer you, you are to desire that the Scottish and English affairs may go on pari passu. 8. You are to adhere to all the Acts of Parliament sent up to the Earl of Lanerick, except that the preface and conclusion thereof may be omitted in the printing if his Majesty will publish the rest in his own name with consent of the Estates. 9. To desire his Majesty will be graciously pleased to publish the aforesaid Acts in his own name with consent of the Estates of Parliament, and that by a warrant to the Lords of the Secret Council to print them with the true date. If his Majesty will not publish them so, but rather have them read over in another session of this Parliament and then to be published with any subsequent Acts, you may yield thereunto, provided his Majesty be obliged so to do in verbo principis, and that they go out with their own and no posterior date. 10. You are not to yield to any new indiction of a Parliament for publishing or renewing these [Acts] already passed. 11. If they draw you to dispute about the Estates' power to make laws in Parliament without the King or his Commissioner, you are to shun, as far as may be, disputing what the King may do in the height of his power, or the subject in extremity of danger for maintenance of religion and liberties as being tender of both. But you are to clear that the holding of this Parliament has warrant from his Majesty, and therefore is defended without

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bringing his Majesty's power in question. 12. You are to desire that no oaths be taken of travellers or any Scotchman not warranted by the law of the kingdom where the oath is administered, and that no oath be taken of non-residents contrary to their own national oath. 13. The incendiaries and prime actors are to be tried, the Scotch to be remitted to our own Parliament, and the English to be judged by theirs. 14. The castles and forts in Scotland must be desired to be disposed of conformably to the Act of Parliament. 15. Not only must the ships and goods taken in England and Ireland be restored, but the interest and damage thereof must be repaid, and that for last year as well as this. 16. Our expenses and losses last year and this in maintaining armies, bringing home provision, and all our other burthens, must be repaid; the particulars whereof will be sent you. 17. The assurance and manner of payments are left to your discretion, but you are to desire the English to make an offer of what part of our expenses they will pay. 18. To crave that Berwick and Carlisle may be dismantled, at least the walls of both towns; if this cannot be obtained, to crave that the garrisons be removed and not put in again without consent of the Estates of Parliament. 19. When you have debated all the particulars at length, and drawn every one as near a conclusion as may be, you shall not break off the treaty for any difference in one or more of them, nor conclude any of them by subscription, but leave them as being fully debated on either side till the whole be debated for securing a settled peace. Mutual articles must be drawn up to be enacted in both Parliaments and under the seals of both kingdoms, whereof the following may be a groundwork to you, to which you may add as you find occasion or get resolution from us. 1. All preceding acts of hostility must be buried in oblivion. 2. Parliaments should be held in both nations once every two or three years at farthest, in which wrongs done by either nation to other are to be tried, and Commissioners appointed to treat about them. The Commissioners should also try differences betwixt the King and subject; those who have given bad counsel to either, have been incendiaries, or enroached on the King's power, or liberties of religion and the country. 3. Between the Parliaments Commissioners of both nations should be chosen, to be entitled Conservatores pacis, who may have power jointly to try and remedy any differences and wrongs that arise. 4. No armies should be enlisted in either kingdom against the other without consent of Parliament, and that a declared breach of peace be upon the kingdoms. 5. No King's ships, freebooters, or others should stop the trade of either kingdom, or harm their neighbour kingdom without consent of Parliament after breach as aforesaid. 6. If such armies be enlisted, trade stopped, or neighbours harmed the Estates of that country where such is done to be obliged to punish the offenders with all rigour. And if any assist or harbour them, they are to be punished as breakers of the peace. And if, after complaint to the Parliament or Commissioners aforesaid, redress be not made, it is to be counted a breach of the peace by the whole kingdom. 7. None of the nations are to engage in war without consent of both kingdoms. 8. If any subject offend his own nation, or be in debt,

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or wrong any of his own countrymen within the other kingdom, he is to be sent to his own kingdom, on demand, to be tried and punished, and not harboured in the other kingdom. 9. The Prince should not marry but with consent of both kingdoms. 10. Scotchmen should have service about the King and Prince, some in chief places. 11. A common confession of faith should be made for both kingdoms with mutual obligation to defend it. 12. All Papists should be removed from the Prince. 13. All who suffer in England or Ireland for our cause should be let go free and their wrongs repaired, as Alexander Cunningham and others, of whom you shall have a list. 14. You are to come back when recalled by any of the Quorums, and if you find it necessary for you all to come back and consult with us, or to send any of your number, you may do so. 15. You shall not send letters to us of any consequence but by express bearers, and not by ordinary bearers of whom you are not assured. 16. You are to send us frequent advertisements, at least once a week, or oftener if occasion require. 17. You are to represent that all our evils in Kirk and Commonwealth have arisen from the innovations brought in of late, and they would not have grown so high if the Council and Session had not given way to them. For preventing the like inconveniences, you are to desire that the supreme judicatories of Council and Session may be reduced, as far as may stand with our religion, to their first institution and practice before King James' going to England. [*Copy.* 3½ *pp.*] *Subjoined,*

22. I. *Some observations and queries on the instructions given by the Committee of the Estates to their Commissioners appointed to treat at London concerning the Scotch demands and securing a settled peace. These are a series of possible objections that might be made to the above articles, and the answers to be given to such objections.* [1 *p.*]

Nov. 5. 23. The King's speech in Parliament. My Lords, I do expect that you will make a perfect relation to the House of Commons of the great affairs for which I have called you hither at this time and of the trust I repose in them and how freely I have put myself upon their love and affections at this time; and that you may know the better how to do so, I shall explain myself concerning one thing [I spake] of the last day, I told you the rebels were to be put out of this kingdom; t'is true I must needs call them so, so long as they have an army that doth invade us, yet I am now under a treaty with them and under my Great Seal of England I do call them my subjects, and so they are too. But the state of my affairs is briefly thus: it is true I thought when I called the Lords of my Great Council to York to have met you at this time only to have given you a gracious answer to all your grievances, for I was in good hope by their wisdom and assistance to have made an end of that business. But I must let you know that my subjects of Scotland did so cavil and delay that it was not possible to end that there. Therefore I can in nowise blame the Lords that were at Ripon that the treaty

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was not ended, but must thank them for their industry and pains; and certainly had they had as much power as they had affection I should by this time have made an end. But now the treaty is transferred from Ripon to London, where I shall conclude nothing without your knowledge, and I doubt not without your approbation; for that I do not desire to have this great work done in a corner, I shall hereafter open all the steps of this misunderstanding and the causes of these great differences between me and my subjects of Scotland. And I doubt not but by your assistance I shall make them know their duties and make them return whether they will or no. [¾ *p.*] [*Not entered in the Journals of the House of Lords but printed with variations in Rushworth iii.*, 1336, *and iv., p.* 17; *and in Speeches in Parliament collected and printed for William Cooke*, 1641, *p.* 3. *Copy.* 1½ *p.*]

Nov. 5. 24. Another copy of the same, with some variations and addressed to Mr. Speaker. [1½ *p.*]

Nov. 5.] Two other copies. [*On same paper as Nov.* 3. *See this vol. Nos.* 16, 17.]

Nov. 5. 25. Speech of William Lenthall, Esq., of Lincoln's Inn, addressed to the King on his Majesty's approving him as Speaker of the House of Commons. After eulogizing the King and Royal family, and the Houses of Lords and Commons, he continues: Constantine the Great accounted his subjects' purse his Exchequer, and so it is; subtle inventions may pick it but nothing can open it but a Parliament, which lets in the eye of sovereignty on the public maladies of the State, and of vigilancy for the preservation of our ancient liberties. For these we need look but a very little way back, there shall we see our just liberties graciously declared by your sacred Majesty. And the gracious expressions lately fallen from your lips make glad the hearts of your people, so that we more than promise ourselves free consideration of the ways to compose the distempers of these kingdoms, and then to present them to your Royal hands for perfection. Are these the fruits we have enjoyed by Parliaments? We cannot then but wonder at that horrid invention in this place projected monstrum horrendum informe ingens, but, God be thanked, cui lumen ademptum est. Let us never forget this day's solemnization; but it is too much boldness to presume longer on your grace and goodness. Therefore, for the better expedition of this service, we humbly desire: 1. That ourselves and servants may obtain freedom from arrests of their persons and goods. 2. That we may have free liberty of speech without confinement, with a full and free debate. 3. That you will vouchsafe our repair to your sacred person upon matters of importance, according to the ancient liberties of the House. 4. That with such alacrity we may now proceed to manifest to the world that our retirements were to ensure a greater unity, and to endeavour a sweet violence that may compel—pardon, dread Sovereign, the word compel—your Majesty to the love of Parliaments. Thus God will have the honour, your Majesty the splendour, and the

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kingdom safety. [*Printed in full in Rushworth iv., pp.* 17–19, *and "Cooke's Speeches and Passages in Parliament," ed.* 1641, *p.* 1. *Copy.* 3½ *pp.*]

Nov. $\frac{5}{15}$. The Hague. 26. Elizabeth, Queen of Bohemia, to Sir Thos. Roe. She writes at the request of Mons. Camerarius to recommend a nephew of his to Sir Thos. Roe's kindness. Sir Richard Cave, Lord Craven, and [Sir Robert] Honeywood will all be with you shortly, so I will now say nothing to you, only that I have sent you a letter by Captain Wrenham for the Earl of Holland, desiring him to get Sir R. Cave made a burgess for Windsor. I pray God Wrenham come not too late. [*Two seals with arms and coronet.* 1 *p.*]

Nov. 6. 27. The names of the Lords Committees for Petitions, and of the Council who are to attend them. Their Lordships, or any seven of them, are to meet every Tuesday and Thursday at two in the afternoon in the Painted Chamber. [*Printed in Journals of the Lords, vol. iv., p.* 84.]

Nov. 6. 28. List similar to the preceding, but with marginal notes and dated 25 Nov. 1640. [1¼ *p.*]

Nov 6. 29. Account of fees due to the Official and Commissary of the Archdeaconry of Bucks., from May 16 to Nov. 6, 1640. Totals—Receipts 80*l.* 7*s.* 9*d.* Disbursements 2*l.* 12*s.* 0*d.* [*Copy.* 9½ *pp.*]

Nov. 6. Brussels. 30. George Shaw to Richard Harvey. Begs him to procure the money due from Mr. Lanyon, for he needs it in good earnest. P.S.—Send me word how Captain George Porter does and where Giles Porter is; my dear comrade Charles Porter, I have no words to express my sorrow for that brave young cavalier of so great expectations. [1 *p.*]

Nov. 6. 31. Account by Sir William Russell and Sir Henry Vane, jun., Treasurers of the Navy, of ship-money received by virtue of writs of 1639. Total 41,158*l.* 18*s.* 7*d.* [1 *p.*]

Nov. 6. 32. Account of ship-money for 1639 levied and remaining in the hands of the sheriffs. Total 11,636*l.*, making with 41,158*l.* paid to Treasurers of the Navy 52,794*l.* This week were paid in no arrears for former years. [1 *p.*]

Nov. 7. The Court at Whitehall. 33. The King to Henry Earl of Danby, Governor of Guernsey, or his deputy, to send Henry Burton, committed by Order in Council 31 August, 1637, close prisoner in Castle [Cornet], Guernsey, in safe custody, to appear before the House of Commons according to such order as he has received or shall receive from the Commons. [*Copy.* ⅓ *p.*]

Nov. [7.] 34. Draft of the above warrant. [1 *p.*]

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Nov. 7. 35. Warrant of William Lenthall, Speaker of the House of Commons, in accordance with the order of the Commons, to the Captain or Governor of Cornet Castle, Guernsey, to send up Henry Burton, now close prisoner in the castle, in safe custody, to the House of Commons, that he may prosecute his complaints before them according to a petition this day delivered to the House by his wife. Further, requiring all whom it may concern to certify the House by what warrant and authority he is there detained close prisoner. *Underwritten,*

35. I. *Sir Peter Osborne to Captain Darell. This order from the Commons' House of Parliament, received the 9th of November, I have sent you, that with all convenient speed it may be performed, and in your absence* [*I*] *require the same of Mr. Porter, or any other whom it mayconcern. Chelsea, 11th November* 1640. [1 *p.*]

[Nov. 7.] 36. Petition of Sarah, wife of Henry Burton, to the House of Commons. An information in the name of his Majesty's Attorney General was heretofore exhibited against petitioner's husband and others in the Court of Star Chamber, charging him, *inter alia,* with publishing a book called "An Apology of an Appeal," to which information he put in an answer on oath under the hand of his counsel, wherein he only alleged such things as his counsel conceived to be material for his defence for publishing the book, but denied all other things contained in the information. This answer being put in, and interrogatories exhibited, petitioner's husband was ready and at sundry times offered himself to be examined on the same, but after he had long attended, instead of examining him, he was informed that upon reference of his answer to Sir John Brampton, Lord Chief Justice of the King's Bench, and Sir John Finch, then Lord Chief Justice of the Common Pleas, and their opinions thereon being certified, his whole answer, except "not guilty," was expunged, whereby he was utterly debarred from the benefit of the principal matters alleged for his justification, and so that was taken for his answer which was not his answer, or only a part thereof. Thereupon petitioner's husband refused to answer the interrogatories, for on his examination he must necessarily have contradicted his answer, and so have forsworn himself. Yet he still protested his readiness to be examined on the interrogatories if his answer might stand entire; nevertheless the Court, taking the information *pro confesso,* and refusing to admit his answer, on June 14, 1637, proceeded to censure, whereby they fined him 5,000*l.* to his Majesty's use, and awarded that he should be deprived of his benefice, degraded from his ministerial function and university degree of bachelor of divinity, and be set on the pillory at Westminster, have both his ears cut off, and be imprisoned for life in Lancaster Castle, whereby none might have access to him but by special licence from the King or Council. All this was executed on petitioner's husband who was shortly after transported from Lancaster Castle to Guernsey, by what order petitioner knows not, where he is kept in

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strict imprisonment, and utterly denied petitioner's society, contrary to the liberties and privileges of the kingdom. Now as her husband lying under the heavy censure aforesaid is debarred his friends, the use of pen, ink, and paper, and other means to make his just complaints known, petitioner beseeches this Assembly to take her distressed condition into serious consideration, and as she knows not how to manage so weighty a business she prays that by your order her husband may be sent for to prosecute his just complaints, and that the Captain of Cornet Castle and the Governor of Guernsey may be commanded speedily to return him and to certify the cause of his commitment and detainment. [1¼ *p.*]

[Nov. 7.] 37. Petition of Susanna, wife of John Bastwick, doctor in physic, close prisoner in the Scilly Islands, to the same. Petitioner's husband six years ago set out a book called "Elenchus Religionis Papistica," with an addition called "Flagellum Pontificis et Episcoporum Latialium," being provoked thereto by a Papist that maintained the Pope's supremacy, wherein to prevent mistake he professed he meant nothing against such bishops as acknowledged their authority [to be derived] from kings; yet because by way of argument he maintained an equality between bishops and presbyters by the Word of God, he was searched by a pursuivant, his chests and study ransacked, and his books and papers seized, he was then pursued in the High Commission Court, and after a long and expensive suit on February 12, 1634, fined 1,000*l.* to the King, excommunicated, debarred practice of his profession, and imprisoned till he should recant. In regard whereof, and because the bishops present at his censure denied openly that they held their jurisdiction from his Majesty, petitioner's husband published another treatise, entitled "Apologeticus ad presules Anglicanos," expressing the truth of the proceedings and speeches at his censure, for which book his Majesty's Attorney General exhibited an information against him and others in the Star Chamber, to which petitioner's husband answered subscribing his name, and not being able to procure any counsel's hand to his answer he tendered it himself, first at the Star Chamber Office, and then in open Court, pressing its acceptance according to precedent as in Dr. Leighton's and other causes, but because no counsel's hand was to it the Court rejected it, took the information *pro confesso*, and thereupon fined him 5,000*l.*, censured him to stand in the pillory, lose his ears, and be closely imprisoned in Launceston Castle, all which has been executed. Since he has, by what authority petitioner knows not, it being no part of his censure, been transmitted to Scilly Island, where he is so closely imprisoned petitioner is not allowed any access to him, so that for three years her husband has been exiled from her, and she could not obtain leave, though she has earnestly sued for it, to live with him or even to see him. Petitioner has many small children dependant on her, and being utterly unable to provide for them she and they are daily exposed to great want and misery. She beseeches this Assembly to consider her distressed condition, and as her husband is imprisoned in so remote a place,

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and denied all means to clear his innocence, and petitioner being no ways able to manage so weighty a cause, she prays that by your order her husband may be sent for, and brought hither in custody, to prosecute his complaints for his sufferings before this Assembly, and that the Governor of the Island and Captain of the Castle may be required speedily to return him, and certify the cause of his commitment and detention. [1 *p.*]

Nov. 7. 38. Speech by Sir Benjamin Rudyard in the House of Commons. After speaking on the Roman Catholic tendencies of the Court and prelates, and their contempt of the Puritans, he continues: Let us further reflect on the ill effects these courses have wrought, what by a defection from us on the one side, a separation on the other. Some, imagining whither we are tending, made haste to turn or declare themselves Papists beforehand, thereby hoping to render themselves the more gracious, the more acceptable. A great multitude of the King's subjects, striving to hold communion with us, but seeing how far we were gone, and fearing how much farther we would go, were forced to flee the land, some to other inhabited countries, very many to savage wildernesses, because the land would not bear them. Do not they that cause these things cast reproach upon the Government? Mr. Speaker, let it be our principal care that these ways neither continue nor return upon us. [*This speech, which is endorsed as "An Introductory Speech by Sir Benjamin Rudyard in the Parliament,* 7th *November* 1640," *is, with the exception of the above clause, printed in Rushworth iii., he gives it, however, as a number of separate speeches which ought, according to this copy and "Cooke's Speeches in Parliament,* 1641," *pp.* 103–109, *where it is also given as one speech, to come in the following order: Rushworth iii., pp.* 1349, 1355, 1350, 1358, 1351, 1341, *and* 1352. 6 *pp.*]

Nov. 7. 39, 40, 41. Three other copies of the same, one dated November 9th much damaged.

Nov. 7. 42. Certificate of the Council of War, signed by Sir Jacob Astley, that Captain Thomas Dimmock was on the 6th of November 1640 acquitted by the Council of War of the accusation against him, and ordered to return to his duty and entertainment. [$\frac{2}{3}$ *p.*]

Nov. 7. Covent Garden. 43. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Bradley. There is 50,000*l.* on the way, part of which will be with you next Tuesday, and the rest on Thursday; 30,000*l.* is for the army and 20,000*l.* for the northern counties lying under contribution. It is all to come to Ripon, where you must deliver 20,000*l.* to the underwritten commissioners; ten chests are marked for them on purpose, but if they are curious let them take their choice of any of the 2,000*l.* chests, it is only done for expedition to save them the trouble of telling it. The 30,000*l.* is to be divided among the army by way of lending. Only the reformadoes, the Recusant officers, who are all to be cashiered, must be paid to the 8th of this month. I must refer it to yourself what proportion to send

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to York to pay the troops there; 'tis true if you can take up so much money of the Lord Mayor [of York] as will pay the reformadoes you will do very good service. I have received Sir John Conyers' bill of exchange for 300*l.*, which shall be paid at the day. By taking up money by bills of exchange and lending to the soldiers, I confess you have done the King a very good service. Be specially careful that such money as is advanced from November 10, be paid out of the 30,000*l.*, and take care there be no exceeding the 30,000*l.* Sir Robert Farrar's entertainment I think will be reduced. The English reformadoes being seven weeks behind next Monday troubles me much, for the Parliament will pay no longer than from the 10th of November. For Commissary Pinckney, desire Sir Jacob Asteley and Sir John Conyers to consider it and reduce what they think fit. *Underwritten,*

43. I. *The names of Commissioners to the Scots are Sir William Bellasis, Sir John Conyers, Sir William Lampton, and Jerrald Salvin, or any two of them.* [1¼ *p.*]

Nov. 7. York. 44. Francis Housman, postmaster of York, to [Robert Read]. Has received his letters for Captain Francis Windebank and Dr. Lent, and caused them to be delivered, but has had no answers to them as yet. [¾ *p.*]

Nov. 7. Licence by Henry Earl of Holland, constable of the castle and honor of Windsor, granting to James Earl of Annandale the keeping of the several walks called Purbright-Walk and Ash-Walk within the forest of Windsor, and bailiwick of Surrey. [*Copy.* 1 *p. See vol. cclxxxiv., p.* 96.]

Nov. 9. Warrant to Sir Wm. Uvedale, Treasurer of the Chamber, for payment of an allowance of 40*l.* per annum to Thos. Flower, yeoman-footman to the Queen, Henrietta Maria, the place being void by the resignation of William Prichard. [*Docquet.*]

Nov. 9. Warrant to the Exchequer to pay to Thos. Smithsby, his Majesty's sadler, the interest of 5,503*l.* 8*s.* 10*d.* disbursed by him to divers of the King's servants, to whom the same was owing, as also the interest of 4,500*l.* lent to the King; the interest is to be paid out of the rent of the Great Customs for the year 1643. [*Docquet.*]

Nov. 9. Ordered upon the question by the Commons House of Parliament that all projectors and unlawful monopolists, or such as have received any benefit from any monopoly or project, or who have procured any warrant or command for the restraint or molesting of any who have refused to conform to any such proclamations or projects, are disabled by order of this House to sit as members. If any man here knows of any monopolist he shall name him, that any member of this House that is a monopolist or projector shall repair to the Speaker, that a new warrant may issue forth, or otherwise that he shall be dealt with as with a stranger who has no

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power to sit here. Signed Henry Scobell, Clerk of Parliaments. [*See G.* 221, *Royalist Composition Papers, vol.* 48, *p.* 327.]

Nov. 9. York. 45. Warrant from Sir Jacob Astley to Sir William Uvedale. By virtue of a commission from the Earl of Northumberland, General of the Army, you are to pay Captain Thomas Dimmock, of Sir Thomas Glemham's regiment, 21 days' pay, ending 27th October last, which was withheld from him by the Lieutenant General's [Strafford's] order. [¾ *p.*]

Nov. 9. 46. Petition of Edward Godwin, committee of Brett Netter, his Majesty's ward, to Francis Lord Cottington, Master of the Court of Wards. An office was found after the death of Stephen Brett of divers lands in Kent, at the finding of which Thos. Brett and others, who claimed by a pretended will, had liberty from this Court to give in evidence for the said will. When it was produced to the jury, on hearing the witnesses and proofs the jury would not find the pretended will; and at the finding of the said office it was clearly proved that Stephen Brett did give Thomasin his daughter in marriage to Thomas Netter in the church. Statement of the proceedings subsequently taken in the King's Bench and Court of Wards. Petitioner humbly desires that, having found the office and compounded for the wardship of the body and lands of the ward, he may have possession accordingly. And if your Lordship shall determine that the possession of the two parts shall go with the pretended will before it be proved, petitioner prays he may leave the wardship and ward to the care of the Court, the ward wanting but a small time of his full age; petitioner being utterly unable to bear the charge of further suit, having been above five years in this Court, and wasted his whole estate in defence of the ward's title. *Underwritten,*

46. I. *Let this be moved in Court, and such further course shall be taken as shall be thought fit. F*[*rancis*] *C*[*ottington*].

Nov. 9. 47. Abstract of expressions contained in letters of members of the University of Oxford to Archbishop Laud, their Chancellor, between 28 May 1635 and 9 Nov. 1640, of some of which the following are translations. "Thou hast sent forth another Pentecost at the time of Pentecost; since thou thyself art most abundantly full of the Divine Spirit." "Thou commandest us to look around if we wish any profit from the best and greatest on earth—the King and thee;" addressed "to your most sacred Holiness," May 28, 1635. "Forsooth let us call thee Father of our Academy, leader, angel, archangel, is any title too much; we know thou art a cistern very full of the Divine munificence;" July 9, 1636. "If he stands in trouble, he the most venerable, than whom no rule is more upright, by whom religion itself is sooner to be corrected. . . .Certainly without the Church, without thee, we cannot hope for safety, we wish not for comfort."—Nov. 9, 1640. [*Probably produced on Laud's trial. Latin.* ¾ *p.*]

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Nov. 10. 48. Order of the Lords in Parliament that the Sheriffs of Chester shall safely convey to the Lords in Parliament, Arthur Magennis and Redmond Comyne apart from one another. Also they are to pursue with hue and cry such suspicious persons as were in the company, and on their apprehension to send them up likewise. [½ *p.*]

[Nov. 10.] 49. Sir Edward Deering's speech in the House of Commons. Insists that religion should occupy their attention before all other subjects, and divides the question into two heads: (1) ecclesiastical persons and (2) ecclesiastical causes. He produces a petition from Thos. Wilson, [rector of Otham,] in Kent, now suspended and persecuted by a pursuivant. The Speaker, Sir Edward Deering, went to Lambeth to see Archbishop Laud on Wilson's behalf, undertaking that he should appear in any of the King's courts at Westminster to answer his accusers; but the only answer he received was: "I am sure he will not absent himself a twelvemonth together: and then I doubt not but once in a year we shall have him." He concludes, "I hope by the help of this House, before this year of threatening be run out, his Grace will either have more grace, or no grace at all. For our manifold griefs do fill a mighty, a vast circumference, yet so that from every part our lines of sorrow do lead to him and point at him, the centre whence our miseries grow." [*Printed in "Cooke's Speeches in Parliament," ed.* 1641, *pp.* 88–90, 4 *pp., and Rushworth iv., p.* 39.]

Nov. 10. North Duffield. 50. Cornelius White "to Captain George Porter." The Lord General commands that all the troops shall be made complete in horse and arms at every captain's own charge between this and December 10th next. We want in our troop amongst the 36 men that are mounted, 15 carbines, 8 case of pistols, 9 head pieces, 2 backs, and 2 breast plates. Six of your own men, the cornet's man, the quarter-master's and my man, and 5 men besides, want horses, so that I shall muster 50 men. As for your two men who were absent the last muster, and the quarter-master's man, if you seek for it the Lord General will grant you his warrant as he has to other captains, to receive pay for them from the time they were last mustered; so that three men's pay ever since the 20th September last will be due to you, and what before that I know not. I desire your commands herein. By Capt. Mennes' directions I took off 12*d.* from every man's pay and from such as wanted arms eighteen pence; and so should have continued every pay-day, but Colonel Trafford has since wished me to restore the money so taken back, and not to take any more off any trooper's pay for any such cause without order from my commissary or himself. I understand you intend to leave the troop and that the cornet makes means for your place. I hope my carriage towards you and the whole troop has been such that you will think me as deserving of advancement as another, if you intend to leave us. Should the cornet be captain I should be unwilling to be under his command, and the troop say they would leave him but will all subscribe for me in case you leave us. [1 *p.*]

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Nov. 11. Whitehall. Proclamation for a general fast throughout England, to be held in London and the suburbs on November 17th, and in other parts of England and Wales on December 8th, to implore the Divine mercy in removing the pestilence, war, and other signs of God's anger, and for a blessing on the weighty affairs now in agitation in the High Court of Parliament. [*See Coll. Procs. Car. I., No.* 234. *Printed.* 1 *p.*]

Nov. 11. Proclamation withdrawing all licences granted to Popish Recusants allowing them to come to London. They are hereby commanded within 15 days to repair to their houses and remain within 5 miles of their dwelling places according to the law, likewise they are forbidden to come to Court, or within 10 miles of London, without special licence. All justices of peace are hereby required to deprive convicted Recusants of their arms, which are to be disposed of as the laws direct. [*See Ibid, No.* 235. *Printed.* 1 *p.*]

Nov. 11. 51. Copy of the first part of the above Proclamation, commanding Popish Recusants to repair to their own dwellings, and not to come to Court or within 10 miles of London. [1 *p.*]

Nov. 11. Grant in reversion to Edward Earl of Dorset and Henry Lord Herbert, and their heirs, of the fee of the manor of Tisbury, co. Wilts., under such rents and tenures as Thomas Lord Arundel [of Wardour] holds the same by virtue of a grant to his father, wherein the reversion of the fee is excepted, and is done to enable them to settle a jointure of the premises upon the wife of Henry Arundel, heir of the now Lord Arundel. The Earl of Dorset and Lord Herbert do covenant to reconvey the same to his Majesty within two months after the settling of the jointure. [*Docquet.*]

Nov. 11. Presentation of John Knight, clerk, to the rectory of Calverton, Notts., in the diocese of Lincoln, void by the death of the last incumbent and in the King's gift *pro hac vice*, by reason of the minority of Simon Bennett, his Majesty's ward. [*Docquet.*]

Nov. 11. 52. Notes by Sir John Lambe, Chancellor to Queen Henrietta Maria, of business to be transacted this afternoon at Denmark House relative to the administration of her jointure lands in cos. Essex, York, Surrey, Cumberland, Suffolk, and Bedford. [1 *p.*]

Nov. 11. 53. The message delivered by Mr. Pym from the House of Commons to the Lords of the Upper House, charging Thomas Earl of Strafford with high treason, and requiring him to be imprisoned till the articles are exhibited against him. [*Printed in Journals of Lords IV., p.* 88, *and "Cooke's Speeches in Parliament," ed.*, 1641, *p.* 116.] *Underwritten,*

53. I. *The Lord Lieutenant being required to withdraw and after debate thereof called in, kneeled at the bar, when standing up the Lord Keeper* [*Finch*] *said:*

53. II. *Speech of Lord Keeper* [*Finch*], *informing the Earl of Strafford of his impeachment by the House of Commons*

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and of the Lords' resolution that he be committed to the custody of the Gentleman of the Black Rod and be sequestered from the House of Lords till he clear himself of the accusations against him. [*Printed in Ibid.* 1¼ *p.*]

Nov. 11. Covent Garden. 54. Sir Willm. Uvedale, Treasurer-at-Wars, to his deputy, Matthew Bradley. I can send you no certain news of money; as yet the money from the City comes but slowly, but it is sure, and I hope within a few days to send you a considerable sum. Meantime I would have you, if you have not already paid the 4,000*l.* to Elmhurst, dispose both of that and your 2,000*l.* of the Earl of Northumberland's, rents into loans to the regiments. My reasons are these: the days are short, the ways very ill, and the passage may be interrupted by waters; therefore you must prevent hazards, and, as much as you may, consider time. [1 *p.*]

Nov. 11. Receipt by Tho. Vyner for 70*l.* [*On same paper as Oct.* 24. *See vol. cccclxx., No.* 53. 2 *lines.*]

Nov. 11. Oxnead. 55. Francis Dorvan to Richard Harvey. Requests him to obtain the 5*l.* 14*s.* Mr. Porter owes him and keep it till he comes to London. Has been most falsely accused, but let his slanderers beware of God's just judgments. Hopes to be in London after Christmas. He now serves Mr. Paston, who lodges at the Holy Lamb, over against the Black Bull; prays for foreign and London news. [*Seal with device.* 1 *p.*]

Nov. 12. Whitehall. 56. Philip Earl of Pembroke and Montgomery to Edward Viscount Conway. Though I cannot lay the sufferings of George Porter as set down in this petition to your charge, yet as on your motion I nominated him for your service in this action, and he being as one of his Majesty's trumpeters under my command as Lord Chamberlain, I cannot but take notice of the injuries said to have been done him in the enclosed, which I earnestly desire you to examine into and see reparation be made him if you find them as informed. Please give me word of the state thereof and remit him back to his attendance on his Majesty here, he being now put from yours to the unpleasing service of one Captain Brough. [*Much damaged.* ¾ *p.*]

Nov. 12. Mordington. 57. Colonel Robert Monro to Sir Michael Ernle. In answer to yours you know that one article of the cessation of arms is that both parties may detain during the treaty such places as they held when the cessation was concluded. And whereas you allege that our lying so near your garrison occasions doubts and jealousies, and trenches on the articles agreed upon, truly I find no reason for the same, nor do I believe that our lying within the bounds of Scotland anywhere can touch the uttermost border of any article agreed on, far less be thought any breach of accord, except you would find a new occasion for quarrel, which I know no discreet man, as yourself, will urge. For jealousies perhaps we have the same suspicions of your garrison lying so near us, and I know no better remedy than to keep stronger watch till we are assured of a settled peace. And for the redoubt

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we cast up, I confess it was wrought betwixt the concluding of the cessation and the intimation thereof to you and us, so that it was not done of intention to offend; and before it should give offence I am indifferent whether it stand or no, provided you give me time to acquaint the General. [*Endorsed by Sec. Windebank:* "Received from Sir John Conyers [Nov.] 25th." *Copy.* 1 *p.*]

Nov. 13. 58. Warrant of William Lenthall, Speaker of the House of Commons, by order of the House, to John Hunt, Sergeant-at-arms attending the House, to apprehend Sir George Radcliffe, member of the Parliament in Ireland, and bring him to the House in safe custody, to answer an information of high treason, to which case no privilege of Parliament extends. [*Copy.* 1 *p.*]

Nov. 13. Covent Garden. 59. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Brodley. I am commanded to let you know that the Lower House of Parliament have taken into their care the supply of the King's army and have resolved speedily to raise money for that purpose, and in the meantime to persuade the City to furnish the King for the present; which I think will very instantly be put in execution, so that within very few days I shall despatch towards you a very considerable sum. I write thus much that you may assure the commanders that come to you for money that they are now in very safe hands and will assuredly be paid, only they must have a little patience. If it stand with your leisure, send me as speedily as you can a true state of our army, what is the settled charge monthly, for horse and foot, train of artillery, and officers of train and field, reformadoes of both nations, and all your new charges since I came away; as for example, your 5*l.* per diem to Ruthven [Patrick Lord Ettrick], and any other settled charge. This is required from me by the Parliament, and I know no way to satisfy it but by your help. [2 *pp.*]

Nov. 13. York. 60. Sir John Conyers to Sec. Windebank. I am now come to York to my charge of the Horse according to the Earl of Strafford's order, having left all things at Berwick in as good a state as I have been able. I wrote to Colonel Monro about the fort he made within the English bounds two days after the cessation of arms, but received no answer. The morning I left Berwick I sent Lord Wentworth and Sir Peregrine Bartu [Bertie], but they found him not, and so only left my letter with his officer. I ordered Sir Michael Ernle to follow it and know his resolution, which I believe he will inform you of by the first opportunity. This last summer in the Netherlands Count Henry of Friesland in an encounter with the Spanish forces was killed, and Abercrombie, a Scotch captain of a troop of cuirassiers, received hurts of which he is not likely to recover. A nephew of mine, Henry Hume, is lieutenant of that troop, and is well known to the Queen of Bohemia and Prince of Orange. Had I known I should have been constrained to quit my troop when I entered the King's service here I should have begged his Majesty's letters that I might have resigned it to him, and had he then had his Majesty's recommendation he could not have failed of one of the troops that then became void. Now I am to entreat you to beseech his

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Majesty's letters to the Queen of Bohemia and Prince of Orange in behalf of my nephew, that the Prince of Orange will give him the troop if Abercrombie die, or to favour him otherwise. If it were possible his Majesty should write the letters, especially the one to the Prince of Orange, with his own Royal hand, the business would take effect. I have entreated Lord Conway to deliver you this and to receive from you the King's letters, if they may be obtained, if not, your answer. [*Endorsed:* "Received [November] 19 by Lord Conway and answered 27th." 2 *pp.*]

Nov. 13. York. 61. The same to Edward Viscount Conway. So soon as I got a pass from General Leslie I came from Berwick and when I was past the Scotch guards I left my great horses behind and spoiled some of the others in making haste hither, in hope to have found you here. I came hither on Wednesday morning and found your letter of the 9th and many instructions, also a patent from the Earl of Strafford to command the army, as I understand it, in the absence of you both; but by the instructions you left for me I find Sir Jacob Ashley is absolutely to command the foot and I the horse, and [so] I understand from him. This I do not [say that] I long for the command of it, for that [the foot and] horse are more than I am capable of; but I desire to know your intention in it, that I may know what I have to answer for. I find the horse all in their winter quarters, but know not yet where each regiment is, but will learn that and visit each quarter as soon as possible, and meantime will distribute the instructions according to your order. The chief officers are for the most part absent, and the troops I believe much out of order. The captains are much displeased that they will be constrained to recruit their troops according to their first indentures, and I fear many will be found faulty in it. I know not whether you have given them notice of it or not [but] I will. The Council of War have cashiered Captain Herbert's cornet, John Done; they gave him his pay till the 11th of this month, and a passport to seek preferment. This I give notice of to the Lord General and the Lord Lieutenant, and dare do no otherwise. Encloses a cypher of his own invention to enable them to write more freely; and a letter from Sir William Brouncker. Lord Wentworth will be at London shortly; he left Berwick before me, but only came hither to-day. I beseech you do what can be done for Captain Cupper's widow. I find by a letter from the Lord General that he is displeased with me touching the choosing of the Vice-President [of the Council] of York [Sir Edward Osborne] to be a burgess for Berwick and not Mr. Pott, a servant of his; his recommendatory letter came at least a fortnight after the choice was made. The business was carried out thus: I was informed that formerly the governors [of Berwick] had the choice of one burgess, so I went into the assembly when the burgesses were to be chosen, but Sir Robert Jackson, our muster-master there, who was newly chosen mayor, was against me, so they chose first their recorder who has some office at York. Then one of the townsmen asked me who I would recommend for the other burgess; I answered that since they gave me not the first voice I desired not the second, but

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thought they would do well to give it to him whom the Lord Lieutenant [Strafford] had nominated,—which was the Vice-President of York. I beseech you notice whether you can perceive any change in his Excellency's [the Earl of Northumberland] goodwill to me. I should be extremely sorry for it, for I believe him to be a truly noble lord and do honour him wonderfully much, but I give him [up as] lost to me, and this by the false report of a knave. I am again to beseech you for my nephew Hume. When you have perused the enclosed to Sec. Windebank I beseech you seal it and deliver it to him, but you must not acquaint his Excellency with it, for I know he would fain recommend a son of Lord L'Isle's to a company of horse there; and if Sec. Windebank cannot do it, let it rest there and not be divulged in Court, for it may turn to his overthrow. My wife commands me to deliver you this message, being extremely afflicted on behalf of her nephew,— that if you had done her the favour before I came to England of procuring the King's letter in his behalf as I desired, without question he had got one of our [Dutch] companies then; and that the Earl of Strafford and yourself were the cause of drawing me into England, which is like to be her death and her nephew's ruin, and perhaps mine also; that if he fail not of advancement she is sure to be assisted by him as long as she lives if God should take me. She, therefore, desires you if possible to assist her nephew at this her request. Write by your next whether you moved the Lord Lieutenant touching my waggon money and servants that were absent with me, and what answer. [4 *pp.*]

Nov. 13. Northampton. 62. William Hartwell to the same. Exceeding the expectation of my coming only a fortnight, I have failed of the 100*l.* I thought ready for me, which is now so disposed of that it cannot during my stay here be made entire. I have endeavoured to procure the sum elsewhere, but can only prevail, in these troubled times, by bond to have it paid the 1st of March; which bond I have sent to Mr. Shalmer, with directions to receive the money, part of my debt, to your use. I am extremely grieved to appear and perform no better. [½ *p.*]

Nov. 14. 63. Part of a speech of Sir John Culpepper in the House of Commons on the subject of grievances. This portion of the speech is on the grievance of monopolies, which are compared to leeches that have sucked the Commonwealth till it is almost hectical. [*The whole speech is printed in "Cooke's Speeches in Parliament," ed.* 1641, *p.* 361, *and Rushworth iii.*, 1338, *who however omits the last few sentences.* ½ *p.*]

[Nov. 14.] Speech of [Mr. E. Bagshaw, member for Southwark], in Parliament. This meeting is to redress the unhappy estate of this Commonwealth; let me give you her griefs in a word, then see whence they flow, our laws, our liberties, our lives, and whence is the life of all our religion, all which having been by the endeavours of so many ages so well secured and made our own now can scarce be called ours. Our laws, the only sinews of our estates which should run in an even stream, are now made to disdain their banks, and drown those fields they should gently refresh. Our

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liberties, the very essence of our weal, which should difference us from slaves and speak us Englishmen, are held away by them, who even whilst they take them from us, cannot but confess they are our proper dues. And are not our lives in danger whilst an enemy disguised as a friend is provoked, and suffered to come into our very bosoms, and rifle some of their goods, others of their loyalty, which they neither would nor could have touched, might we with united power have withstood them. And lastly, sum of all our griefs, our religion laments everywhere that her pure innocence is taken from her; and surely all these must have their causes. For our wise laws we may thank those good kings that made them, the settled expressions of their circumscribed wishes to defend their subjects; that they are so well framed and contain enough to maintain a good prince and people perfectly happy in one another, we owe to those grave countrymen who sat here before us: and that they outlived the malice of some unbanded spirits, we owe to those who reprieved them from ruin with their lives and fortunes. We call them ours because we are as freely born to them as to the air we breathe, we claim and should possess them under the protection of our gracious King, their great patron, who administers them by advice of those learned expositors of our laws, the judges, and those he trusts as his faithful counsellors; if these pervert the meaning of the laws, or contract their power when they ought to extend it, or make them speak more loudly, or softly, as they themselves are tuned for it, the blame should fall heavily on those trusted ministers, the betrayers of his Majesty's honour, and his people's right; to vindicate both which necessity has here assembled you. Mr. Speaker, is not his offence as great who undermines my tenure, and surreptitiously deprives me of evidences by which I hold my inheritance, as his who by violence wrests it from me? The Scots we have heard branded as traitors, because, contrary to the law of nations and their loyalty, they have invaded our lands; what other title have they merited that have invaded our laws and liberties, the precious evidences by which we should freely enjoy ourselves and our estates? The first we may drive back by united forces, and it will be called piety and loyalty to our King and country: if force be laid against the other it will be called rebellion. What now remains but that we should use the law as an ally, which, because it has been turned against us contrary to its plain disposition, should now right us and itself against our adversaries? Surely the law is not so weak as to take care for the safety of others and never provide for its own defence against those, be they peers or people, that have abused it? And if we examine the law it will tell us what has been the reward of those that have monopolized and abused the King's authority, betrayed the well-meaning subject to his Sovereign's displeasure and their Prince's counsels to his enemies; what they deserve that have raised mountains of monopolies, heaps of impositions, and oceans of grievances; what has been the punishment of those that have belied justice, and their own conscience, and made truth and honesty out of fashion? And lastly, if no

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penalty be found,—though surely there is some for such as have disguised religion in fantastic dresses, so that Heaven and earth cannot but be angry to see her, and in their politic pride have been so long moulding a new old Church, for their own advantage, that their so much order has put all out of frame, and made us the objects of pity and themselves of hate; for the innovators it will be lawful for you to innovate an exemplary punishment, for they are the groundwork of our miseries. And surely, Mr. Speaker, there are too many of all these sorts, which like envious clouds hinder us of the gracious shining our sun intends for us. Therefore, for his greater lustre and our more assured comfort, let us endeavour to remove those interposers, that he may see into his people's bosoms, and read their fair characters of loyalty and glad obedience, which the practices of these evil times have endeavoured to obliterate, but in vain. I shall not borrow another minute of you; only consider the vast extent of our grievances, the deep searching of which wound I leave to better abilities. And think not I sigh out these complaints as undertaking to instruct the great wisdom of this grave Assembly; 'tis but to let you see how the slightest parts of this abused Commonwealth are made sensible of her wrongs. But what we feel is far exceeded by our numberless just fears, which ere this had surely distracted us had not our great Physician at length applied this sovereign remedy to keep up our fainting hopes. [*Subscribed P. B., and headed, "Mr. P. Bradshaw's or Bagshot's Speech." On same paper as above. Copy.* 2 *pp.*]

Nov. 14. 64. Evidence of Thomas Chude and John Clay before the House of Commons, touching a book entitled "The Jubilee of Jesuits." [*Printed in the Commons' Journal ii.*, 39. 1 *p.*]

Nov. 14. 65. Sir Henry Vane, jun., Treasurer of the Navy, to Nicholas. There is received since the 6th of this month 49*l.* 17*s.* ship-money from the High Sheriff of co. Lincoln. [¼ *p.*]

Nov. 14. 66. Receipt by Matthew Brodley, for 300*l.* received from Henry Croone, vintner, of London, for the use of Sir William Uvedale, for payment of the army; which is to be repaid within 10 days of Croone's seeing this receipt. [¾ *p.*] *Underwritten,*

66. I. *Receipt by Henry Croone for* 300*l.*, *received from John Pay by order of Sir William Uvedale, Nov.* 30, 1640 [¼ *p.*]

Nov. 14. Burdrop. 67. Sir William Calley to Richard Harvey. Regrets the brawn for Mr. Porter is overboiled. Gives him orders for linen, &c. [*Seal with arms.* 1 *p.*]

Nov. 14. Burdrop. 68. William Calley, jun., to the same. Regrets his father's brawn is spoiled; asks him not to forget the 4 pounds of green ginger, and the China wood, when Mr. Curteen's ships come to Milford Haven and orders other household necessaries. [*Seal with arms.* 1 *p.*]

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Nov. 14. Whitehall. License of Henry Earl of Holland, constable of the honor and castle of Windsor, to Sir Arthur Mainwaring, lieutenant of the forest, and to Sir Richard Harrison, one of the verderers. I have received complaints from the chief keepers of his Majesty's deer, both red and fallow, in the forest of Windsor, that they have been much molested the last summer by the hunting and killing of the deer, of which certain persons living in the forest are by them suspected; I have thought fit to require you two, being principal officers of the forest, to take evidence to discover the offenders, and if you shall find cause to take such course against them as shall be agreeable to the forest laws for their further trial and punishment; and of your proceedings herein you are to certify me that if there be cause I may give you further order and assistance. [*Copy* = 1½ *p.* *See vol. ccclxxxiv., p.* 97.]

[Nov. 14.] 69. Paper of reasons urged on behalf of the deputy-lieutenants and justices of the peace of Devon and Cornwall why they should not be sent for to attend the House of Commons as witnesses in the cause against Mr. Coryton, touching the undue election of burgesses for Bossiney, and Coryton's undue proceedings as Vice-Warden of the Stannaries; that they did what they thought best in the election; and to be sent for more than 200 miles would bring them great trouble and disrepute. If the House [of Commons] will not allow of their absence, to move that their appearance be postponed till order be taken for discharge of their offices in their absence. [1 *p.*]

Nov. 15. Dorchester. 70. William Churchill, late sheriff of Dorset, to the Council. On receipt of yours of October 21st last I wrote to the constables and others who have collected ship-money and not yet paid it to me to bring their several rates and sums collected, neither of which have they sent, so from their neglect I am not at present able to give you so perfect an account as I desire. I have again sent to them to bring their money or return their answers, that I may certify you accordingly. [*Endorsed by Nicholas:* "Received Nov. 23rd." ⅔ *p.*]

[Nov. 15.] 71. Petition of John Nicolas de' Franchi, a Genoese, to the same. Petitioner is owner of three ships—the St. Nicholas, Salvador, and the Charles all foreign built, which being ready to go to sea to Golleshia [Galicia], in the kingdom of Spain, are by order of the Lord High Admiral [Algernon Earl of Northumberland, *see Oct.* 20, *vol. cccclxx., No.* 22] detained, on pretence that the mariners thereof will not return to England. Petitioner represents that the mariners are to return forthwith in an English ship hired to accompany them for that purpose as appears both by the charter-party, and that it is agreed the mariners are not to be paid before their return to England. Prays that the ships may proceed on their voyage, he being ready, if the Council order it, to put in competent caution for the mariners' return. [½ *p.*]

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[Nov. 15.] 72. Petition of the same to the same. To the same effect as the preceding. [⅔ *p.*]

Nov. 15/25. The Hague. 73. The Elector Palatine Charles Louis to Sir Thomas Roe. I have given this bearer charge to communicate to you what I think fit he should propound to his Majesty in this happy conjuncture of a resettlement of his affairs. You would think me incredulous if after so many testimonies of your affection to me I should anew desire you to further what may tend to my interest; therefore I will only wish you to advance the projects [Sir Richard] Cave will show you, since I make no question but the King and yourself will approve them, and to let no one know the last but his Majesty and Sir Henry Vane, whom I have acquainted therewith. I must also recommend to you this bearer, whose honesty and affection to my service are as well known to you as my impossibility to do much for him; therefore I hope if it come in your way you will assist him. For my part, if any troops should be sent over and entertained for me, I should wish him to command my regiment of guards, for his fidelity and experience in war, and I believe you may assist him therein, which I desire you also to do in the business of the drowned land for which I have named my feoffees if you approve them, and herein as in the above I desire your advice. [*Seal with arms and crown.* 2 *pp.*]

Nov. 15. Montgomery. 74. J. T. to Sir William Russell, Treasurer of the Navy, to whom the writer is unknown. The ship-money for this county of Montgomery is all paid to the sheriff and his officers ever since May last, which we hear is not yet come into your hands; of this we desire you to take notice that his Majesty's service be not retarded, nor we his obedient subjects suffer any obloquy thereby. [*Endorsed by Nicholas:* "Received 29 November." ½ *p.*]

Nov. 15. 75. Petition of Elizabeth, wife of Edmund Fitz-Randolph, to Sir Francis Cottington, Master of the Court of Wards. Petitioner, about June last, petitioned the Council showing that two years ago she married her said husband, who had a marriage portion of 600*l.* with her, part of which was spent in purchasing the lease of her husband's lands from the executors of James Dorrell, his late committee, and the rest was disposed of by her husband for his own occasions. That he lived with her a year and had a son, but has since Christmas last absented himself without allowing her any maintenance for herself or his child. She prays you to appoint a day for her husband and his committee to come before you, and to do therein for her relief as shall seem meet to you. *Underwritten,*

75. I. *Let this be moved at the compositions on Thursday next and such further order shall be given herein as shall be thought fitting, and let Mr. Dixon, the committee, have notice, and a copy of this petition delivered him, that he may attend the motion. Fra. Cottington.* [1 *p.*]

Nov. 16. 76. List of the names of members of the House of Commons appointed as a committee to examine the delinquency of Mr. Watkins and others in point of monopoly or project, and to inquire who

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have sat here since the order against monopolists or projectors was made, in breach of that order. They are to meet on Wednesday afternoon at 2 o'clock in the Court of Wards. [⅔ *p.*] *Underwritten,*

76. 1. *The names of members ordered to be added to the Committee concerning monopolists, November* 19, 1640. *They are to meet on Thursday afternoon at* 2 *o'clock in the Court of Wards. All the merchants of the House have been since added.* [⅓ *p.*]

Nov. 16. 77. Another copy of the same. [1 *p.*]

Nov. $\frac{16}{26}$. The Hague. 78. Elizabeth Queen of Bohemia to Sir Thos. Roe. It is most abominably cold so that I cannot write much, besides that I need not, Sir Richard Cave being better than a letter. He will tell you all, and I will only say that I pray hard the Parliament may go on well, then I hope all things will mend. Your daughter had a great mind to have gone to see you now, but considering the time I prevailed on her to stay till a better occasion, for now you will have little time to entertain damsels errant, and she shall not budge hence till you find it fit, when you shall have her for a little time. [*Two Seals with monogram and crown.* 1 *p.*]

Nov. 16. 79. Lord Treasurer's accounts from 26 June till 16 November 1640, stating particulars of money received and expended weekly between these dates, at which latter date there was a balance in in hand of 6,751*l.* 3*s.* 7*d.* [1¼ *p.*]

Nov. 17. Covent Garden. 80. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Brodley. I wonder I have heard nothing from you this week, I fear things go not well. I hope you have received your last 15,000*l.* and I am glad you have not yet paid your 4,000*l.* of the billeters, for although the Parliament has taken care to supply the army, yet the money will not so soon be gathered as to send it down till the end of this week or the beginning of next, and then your 4,000*l.* may do you service. You must warn Sir Jacob Ashley against promising any advance to the regiments lest he spoil all. There is one Henry Croone that deals for wines in this town who desires he may return some moneys by you from York, he tells me you have already had 300*l.* of him, if you return me a bill of exchange for it I will pay it here out of the next money. I am but newly come from the fast this day and am very weary, and therefore can say no more. [2 *pp.*]

Nov. 17. 81. John Morris to Captain George Porter. I thought it my duty to acquaint you with the doings of the officers of your troop. When I demanded of the lieutenant the half day's pay for those who had no horses he said you gave him order before your departure to take and keep it, which he has done. Likewise the cornet brought orders from York to take off every man's pay eighteenpence every pay-day towards the reparation of their lost arms, and twelvepence apiece more towards the maintenance of the sick in the troop, which money was taken off accordingly till Colonel Trafford heard of it, he was much displeased and ordered the money

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to be restored. The lieutenant hearing you would leave the troop has got the hands of all but three or four to be captain. Besides the cornet who most commonly goes to York to receive the money comes not with it till a week after pay-day, notwithstanding he receives it as soon as it is due, which makes the whole troop murmur much. The lieutenant told me this morning your own pay would be taken off by reason of your absence, but your horses are mustered. [1 *p.*]

Nov. 17. Brussels. 82. George Shawe to [Sir Thos. Roe]. I have received your Lordship's of October 29, and am glad the discourse of the proceedings of the Emperor's army is so acceptable to you as to cause it to be translated for his Majesty to read, and I am glad you so esteem Count Leslie, whom I have ever heard speak with great devotion of the honour of the King and of England, and he always condemned the malice of the Scots and their base ingratitude to our gracious King; I hope to see them chastised as such rebels deserve. This Italian is confident of his propositions and prays me to present you the enclosed from him. We begin here to comfort ourselves with the expectation of money, for we say the Plate fleet has arrived at Cadiz and the Brazil fleet at Lisbon, so next week the ordinary from Spain is expected to bring order for money. Five thousand Italians are put in garrison at Barcelona. From Cologne we hear a house is provided for the Archduke Leopold, who is expected there; they intend to make a present of 100,000 rix dollars, 6,000 pairs of boots, 6,000 pairs of shoes, and 6,000 pairs of stockings for his army. Leopold is likely to prove a gallant prince and of great expectation to revive the reputation of the House of Austria. I may not omit to relate a business brought before the Council of State by Sir Balthazar Gerbier [English resident with the Cardinal Infante, Governor of Flanders], whom [Charles] Duke d'Elbœuf reported to be a spy for France and Holland. It is a reputation he has long been suspected of, and a year past I heard him so branded by a person of quality, and it was told me the Count de Onata had written so much of Gerbier at his being in England. Mr. Henry Taylor and I talked of the matter, but I forebore to meddle in the business, though Colonel Gage and I have been pained that his Majesty should employ such a person, and Colonel Gage told me the Prince's confessor complained of Gerbier for never negotiating matters of State but always wrangling. Relates the quarrel between Sir Balthazar Gerbier and the Duke d'Elbœuf, who called him a spy. Sir Balthazar has complained to the Prince Cardinal, and brings the business before the Council of State. God pardon those who recommend such ministers of State in such times as these. He is so insolent that behind Piccolomini's back he does not afford him a good word. Besides he will pay nothing that he owes but by process. The State is much afflicted at his being here, but they are so modest they have forborne to complain, but I think it my obligation to give you to understand what a minister he is. [4 *pp.*]

Nov. 17. 83. Helen Wolseley to her husband [John Wolseley]. Has heard nothing of his health, and is so anxious she must come to him if he does not write. Discusses their domestic affairs. [3 *pp.*]

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Nov. 18. Grant to George Farmour, Esq., third prothonotary of the Court of Common Pleas, at Westminster, for his enrolling of poor men's causes without fee, of an annuity of 10*l.* per annum payable out of the profits of the Hanaper with an arrearage of 25*l.* incurred since the death of Robert Mayle, the precedent prothonotary. [*Docquet.*]

Nov. 18. Whitehall. Proclamation for freedom of passage between Ireland and England annuling the restraint imposed by a previous proclamation on the Irish ports. [*See Col. Procs. Car. I., No.* 236. *Printed.* 1 *p.*]

Nov. 18. York. Instructions by Sir John Conyers to the commanders of horse. The troopers are to be mustered once a month, and therefore you will do well to keep your companies together. A letter has come from his Excellency [Algernon Earl of Northumberland, General of the Army], dated the 13th of this present, to give us notice that the Parliament has resolved to furnish the king with money for payment of the army and has granted a present supply of 100,000*l.*, which shall speedily be sent down. His Excellency, therefore, orders me to advertise you of it, that you may take the best course you can for furnishing your troop either out of your own purse or by getting credit in the quarter where you lodge, that they be not unprovided and fall into disorder for want of money if the above supplies come not punctually, at the time of payment due to us. Hereof I pray you take special notice and care. Send me by the first opportunity a particular note what arms of all sorts are wanting in your regiment and what men are unmounted. John Conyers, York, November 18, 1640. [*Written on the same paper as the military regulations dated October* 27. *See vol. cccclxx., No.* 73. ½ *p.*]

Nov. 18. Berwick. 84. Sir Michael Ernle to Sir John Conyers. [Colonel Robert] Monro still remains here with his forces, and the work he made since the agreement is not yet cast down. I have ordered Mr. Brorolme to send you my letter to him and his answer. I hear by all people that the Scots are making all possible preparation for war, and if business go not according to their expectation, questionless they will use their utmost endeavours to gain this place. They forbid all kinds of provision to be brought hither till they have further advertisement. I hear to-day that they have brought divers cannon from Edinburgh to Eyemouth by sea, but I know not yet the truth of the report; I expect to know to-night. To-morrow the Lords sit in Parliament at Edinburgh, and intend to forfeit all the estates of those that have not adhered to their party. Eight or ten of the Lords are gone to Scotland, but most of them passed by Kelso. [*Endorsed by Windebank:* "Received from Sir Jo. Conyers [Nov.] 25th." *Copy.* ¾ *p.*]

Nov. 18. 85. Account by Francis Muse or Mewce, bailiff of the Queen's manor of Holdenby, co. Northampton, of wood sold this year for her Majesty's benefit, by warrant from her Majesty's Council Board at Denmark House, dated November 28, 1639. *Underwritten,*

85. 1. *Mr. Auditor Phelips is desired by the Board to see this account discharged in the usual manner. Nathaniel Tomkyns, Denmark House, November* 18, 1640. [2¾ *pp.*]

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Nov. 19. The King to the Commissioners of Sutton's Hospital, to admit John Washington to a scholar's place there after the placing of such as have had his Majesty's former letters for the like place. [*Docquet.*]

Nov. 19. Berwick. 86. Sir James Douglas to Sec. Windebank. In my last I sent an inventory of my lost movables, but above that I lack all the rent I have in Scotland; by the Covenanters' own calculation I shall lose 3,000*l.* I know none in that kingdom, if so it may be called, but has some one they make use of to save part [of their property]; as I am a Christian, I never connived for a groat, and will not. I am persuaded if his Majesty be able to recover himself I shall, if not I shall ruin with the best king in the world. The Scots' only discourse now is the taking of Berwick, which they think easy; we here find no benefit at all by the cessation of arms, they go on in public exhortations and provisions as ever, neither can any man travel. Colonel Monro works still about my house to strengthen himself, and lets no provision coming to Berwick pass which he can stop. [1 *p.*]

Nov. 19. St. Peter's, Westminster. 87. Bishop Williams, of Lincoln, to the Archdeacon of Bucks., to induct John Knight, M.A., clerk, into the living of Calverton, Bucks., he having been nominated thereto by the King by reason of the minority of Simon Bennett, the King's ward. [*Latin.* ½ *p.*]

Nov. 19. 88. Felix Long to Richard Harvey. I called to speak with you about the 200*l.* Mr. Croke will be ready between 2 and 3 o'clock this afternoon, with Mr. Jervoyse and Mr. Corney, to despatch it if you think fit. I desire your resolution by the bearer. [1 *p.*]

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Nov. 20. 1. Message [delivered by Mr. Pym] from the Commons to the House of Lords touching the examination of witnesses at the trial of Thomas Earl of Strafford. 1. The examination of the members of the House of Commons as witnesses whom the Commons should require. 2. The examination of the Peers and assistants of the Upper House on oath. 3. The examination of the Privy Councillors on oath. 4. That the proceedings may be speedy and secret. 5. That some members of the House of Commons may be present at the examination of witnesses. [*Printed in Journals of the Lords IV., p.* 94. 1 *p.*]

Nov. 20. York. 2. Sir John Conyers to Edward Viscount Conway. The instructions you left for me I have dispersed to the regiments and troops. I have sent copies of them to Sir Thos. Lucas, the Earl of Crawford, and Mr. Percy, though I had no order for it. The indenture dated November 1st, between Sir William Uvedale on behalf of his Majesty, and the officers of the horse troops, I have not sent them for I find not order for it from you, nor is the paymaster here acquainted with it; besides Sir Fulck Huncks and many others tell me the officers refused to sign them before your going hence, and thereupon you resolved to speak with his Excellency [the Earl of

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Northumberland] before anything more should be done in it. But it is most needful, if the army be not shortly dissolved, that order be taken for mounting and arming the troops that are defective, which are very many. Very few captains are with the troops, and those that are here I find altogether unwilling and many unable to mount and arm their troops at their own charge, and the troopers are altogether unable to do it out of their pay; so that unless his Excellency get it done at the King's charge and put it on the great account to be defalked by 2*d.* a day, as the former arms are, I know not how it will be done. The troops want ammunition likewise, but knowing they must pay for it no man comes to the magazine for it. There are 250 carbines in the magazine and about as many pairs of pistols, but not of the best, and that number will not furnish the troops by many. When the Commissary of Musters returns I shall hear what numbers are defective. To the orders you left I added that the officers should inform me what arms were wanting in the troops and what men unmounted, so I expect a particular list from the companies. If the cessation of arms be not prolonged or a peace concluded, I pray you be a means that all the officers and captains be commanded forthwith to repair to their charge, for the troops are in wonderful disorder, all the captains being absent. Do what may be for Captain Cupper's widow. I have taken all the money Sir Fulck Huncks and the lieutenant had in hand and find that when the officers and troopers are made even with a very small sum will remain for the widow, and the horses stand still at her charge, and we know not how to put them off. By a letter from his Excellency [the Earl of Northumberland] I find not much is to be expected for her from the King; meantime, I would you could so far prevail with his Excellency that the captain's pay may be continued to the widow till the places be otherwise disposed of. I hear that in Scotland they raise many forces, and draw many from Newcastle and Durham towards the edge of Yorkshire. They fail not to prepare against an occasion, but we weaken ourselves daily and are too secure. It were good we made peace, for we are not overfit to make war. We hear strange news from the Parliament, whether true or no time will show. P.S.—I cannot yet find Sir Edward Wrightington to speak with him about settling rates for the provisions in the soldiers' quarters, and the officers complain the country exacts [too much] from them. Deliver my money to Mr. Shalmer, I have told him what to do with it; my wife desires to have it sent into the Low Countries. Mr. O'Neale, who stopped the pay of his cornet in the paymaster's hands, I have written to, to know the cause of it; it seems he dislikes him and means only to pull his coat over his ears and so turn him away. [3 *pp.*]

Nov. 20. 3. Certificate by Richard Marsh that 121 lasts of gunpowder remained in the Tower on December 1st, 1636, when Samuel Cordewell and George Collins became his Majesty's gunpowder-makers. [½ *p.*]

Nov. 20. 4. Receipt by Matthew Brodley for 600*l.* received from John Priestley by the hands of Alderman Hodgson, of York, for the use of Sir William Uvedale in paying the soldiers. *Underwritten,*

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4. I. *Receipt by John Priestley for the above* 600*l.*, *from Sir William Uvedale. December* 3, 1640. [1 *p.*]

Nov. 20. 5. The like by the same for 200*l.* from Henry Cholmeley, which is to be repaid by Sir William Uvedale to Sir Hugh Cholmeley in London within 10 days after sight hereof. *Underwritten,*

5. I. *Receipt by Sir Hugh Cholmeley for the above* 200*l. from Sir William Uvedale. November* 30, 1640. [1 *p.*]

Nov. 20. 6. Receipt by Sir Humphry Davenport for 9*l.* from Gilbert Havers, his Majesty's Receiver General for Norfolk and Hunts., due to him as Chief Baron of the Exchequer last Michaelmas. [8 *lines.*]

Nov. 21. 7. Certificate by Edward Fenn, that there is received this week 120*l.* 15*s.* 0*d.* ship-money from the late High Sheriff of co. Worcester. [4 *lines.*]

Nov. 21. 8. Sir Edward Deering's speech in the House of Commons concerning episcopacy, concluding with a motion to select a committee for discovery of the great numbers of oppressed ministers under the Bishops' tyranny, the sub-committee to examine printers touching what books by bad licenses have been corruptly issued forth. [*Printed in Rushworth iii.*, 1345, *and iv.*, *p.* 55 ; *also in "Cooke's Speeches in Parliament," pp.* 91–94. $2\frac{3}{4}$ *pp.*]

Nov. 21. Burdrop. 9. Sir William Calley to Richard Harvey. I have received yours of the 12th inst. with Sir Edward Wardour's acquittance for 15*l.* received of Robert Masline, who is the fool, and peradventure he accounts William no better, otherwise I see no reason but it should have been in William's name, being heir, and for aught I know executor too, of his father, Henry Masline, in whose name the acquittance was formerly wont to be made ; but if it will pass thus, it shall for me. I am glad to hear so good hope of Mr. Tichborne's debt, seeing Mr. Mallet's money will not come in these six months. God grant the Parliament prove as happy as you hope ; I perceive there are strange bickerings beyond seas still, and I am afraid we should not have been thus quiet all this while at home had it not been for that. [*Seal with arms.* $\frac{3}{4}$ *p.*]

Nov. 22. Whitehall. 10. Order of the King in Council. That the Archbishop of Canterbury, the Lord Keeper [Finch], Lord Privy Seal [Henry Earl of Manchester], the Marquis Hamilton, the Earls of Dorset and Cork, Lords Goring and Cottington, Sir Henry Vane, Sec. Windebank, and Chief Justice Sir Edward Littleton, shall to-morrow afternoon repair to the Lord Lieutenant of Ireland, to receive his advice concerning the grievances sent out of Ireland ; and shall report to the King and Council. [$\frac{1}{2}$ *p.*]

Nov. 22. York. 11. Sir John Conyers to [Sec. Windebank]. I believe Sir Michael Ernle has written to you touching the fort raised by Colonel Monro within the bounds after the cessation of arms, and my writing to him about it ; but lest he should have omitted it I

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enclose Monro's answer. [*See Nov.* 12, *vol. ccccl*xxi., *No.* 57.] I send also a copy of Sir Michael Ernle's letter to me [*see Nov.* 18, *vol. ccccl*xxi., *No.* 84], whence you will see that in Scotland they daily strengthen themselves, and I am of Sir Michael's opinion, if the cessation be not prolonged, nor a peace concluded, the first thing they will do will be to get Berwick. I have written to his Excellency and Mr. Treasurer [Vane], if they think fit, to move the King to send a thousand men from the army to strengthen that place and Holy Island, for the garrison there is not sufficient to defend it if any enemy will hazard any store of men to get it. Since Monro holds to the letter of the articles of cessation we may do so too, for though it be forbidden to recruit either army, the garrisons are not mentioned, and it will be alike to the King to pay a thousand men at Berwick or in the army. The Scots and others say if the war cease Berwick must be reduced; I leave it to the King's pleasure, but there are many good reasons why it should not; for if ever the Scots fall into a new discontent it will undoubtedly be the first place they will seize, for they have found many inconveniences in not having it, and being so near them and so far from us they may easily do it. That and Holy Island are very considerable places for any foreign enemy also. Besides it being a continual garrison, it will be a convenient nursery to make good officers and soldiers for his Majesty's service. It ought also to be considered how much it has cost the King to fortify it, and how little more will bring it to perfection. All is quiet here, only many officers are absent from their charge, who I hope will be here with the money we shortly expect and need. [*Endorsed:* "Received [Nov.] 25th, answered 27th." 2 *pp.*]

Nov. 22. Cottingham. 12. Captain Edward Burgh to Edward Viscount Conway. We cannot find a better place for your horses than Cottingham; we have provided good store of oats but there is little hay. Relates how the Dutch trumpeter when drunk killed a horseman of Captain Howard's troop. If you send not word to the contrary, I will bring up your next month's pay with me. [*Seal with arms broken.* 1 *p.*]

Nov. 22. Warrant of the Council of War to Thomas Falconberg. To issue upon Privy Seal of 11 Sept. 1640 one month's pay to Capt. Henry Yonger, comptroller, and to Henry Bludder and Edward Dankaert, gents. of the Ordnance for the Train of Artillery for the south parts. [*Minute.* ½ *p See vol. cccxcvi., p.* 352.]

Nov. 22. 13. Certificate by Richard Dolphin, vicar of Wednesbury, co. Stafford, that Richard Stanton, of Wolverhampton, who was one of the three in the disturbance on Easter Day last in the parish church of Wednesbury, had made his submission before the congregation 1 November now instant. The like was done by Henry Grosvenor and Thomas Nocke the 22nd instant. [*Underwritten:* "Order by Sir John Lambe for the discharge of the parties named. 27 Nov. 1640." 1 *p.*]

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Nov. 23. Warrant of the Commissioners for Gunpowder to Montjoy Earl of Newport. To issue 20 barrels of gunpowder to Thomas Frere, of London, ammunitioner, for furnishing ships and supply of his shop. [*Minute. See vol. cccIv., No.* 61, *p.* 14. $\frac{1}{5}$ *p.*]

Nov. 23. The like for 36 barrels to be delivered to Bartholomew Hutchins, of Tower-street, chandler. [*Ibid.* 4 *lines.*]

Nov. 23. Kingston-upon-Hull. 14. Captain Thomas Dymocke to Sec. Windebank. Has been acquitted in a Council of War of the accusations against him by the voices of nearly 30 commanders. His judges rightly interpreted his words to have sprung from zeal to the King, the service, and the men. Encloses copies of the certificate of his acquittal and of the order for his pay. [*Endorsed :* "Received 2nd December." *Seal with device broken.* 2 *pp.*]

Nov. 23. Llewerllyd, Flintshire. 15. Ralph Hughes, late sheriff of Flint, to Nicholas. Recounts his proceedings and difficulties in the collection of ship-money since May last, when he paid in 460*l.* of the 575*l.* levied on the county. On receipt of the Lords' last letter of Oct. 21, I sent a copy thereof to all the collectors who were behind, with letters from myself requiring payment, or I would certify against them; they promised forthwith to give me account of their doings and bring in what they could collect of what is unpaid. I have received 50*l.* which I will return to the Treasurer of the Navy with all expedition, and what more I can by any means get in before Christmas I will return as it comes in; and will then give account what may be received, what not, and what neglects I find. This is all I can do, unless I should pay out of mine own purse for such as it may be are better able than myself. [*Endorsed ;* "Received 14 December." *Seal with arms broken.* 1 *p.*]

Nov. 23. 16. List of patents, to the number of seven, questioned and condemned by the Commons, but referred by his Majesty to the Council for their consideration; and of patents spoken of in Parliament, but not condemned, and still under debate; together with the Lords' opinion what should be done concerning each monopoly. The patents condemned are for the lighthouses, engrossing wills, &c., for glasses, writing the King's letters and bills at York, for lobsters and salmon, for lampreys, and for lists and shreds. The patents and monopolies still under debate are a commission to Edward Ramsey for dispensing with the statute of tillage, for sole printing on linen cloth, for importation of 50 tons of logwood, for sole importation and garbling of tobacco, for making farthing tokens, &c. [3$\frac{1}{2}$ *pp.*]

[Nov. 23.] 17. Another copy of the same with slight variations. [3$\frac{2}{3}$ *pp.*]

Nov. 24. Warrant to the Exchequer to pay to Francis Lord Cottington 7,283*l.* 11*s.* 1*d.* in full of 63,243*l.* 11*s.* 1*d.* payable for pepper which he bought of the East India merchants for which he is to accompt. [*Docquet.*]

Nov. 24. Warrant to the Master of the Great Wardrobe for watching liveries for the Captain of the Guard, the yeomen, grooms, and

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pages of the chambers, and of the robes and wardrobes of the Queen Henrietta Maria, being in number 322 persons, for the year ending at Michaelmas last. [*Docquet.*]

Nov. 24. 18. Warrant to Henry Sanford, receiver of his Majesty's revenues in Kent, to pay the captains and garrisons of the forts in the Cinque Ports the sums due to them according to the muster rolls signed by the Duke of Lennox, Lord Warden of the Cinque Ports, who has acquainted his Majesty that notwithstanding the musters therein duly made by his deputy the officers and soldiers cannot receive their pay. [*Draft.* 1 *p.*]

Nov. 24. 19. Articles of the Commons assembled in Parliament against Thomas Earl of Strafford in maintenance of their accusation of high treason. 1. He, the said Earl of Strafford, has traitorously endeavoured to subvert the fundamental laws and government of England and Ireland, and to introduce instead an arbitrary government against law by traitorous counsels and actions and by advising his Majesty by force of arms to compel his loyal subjects to submit thereto. 2. He traitorously assumed to himself regal power over the laws, liberties, lands, and goods of his Majesty's subjects in England and Ireland, and has exercised the same tyrannically to the undoing of many peers and others his Majesty's liege subjects. 3. The better to enrich and enable himself to go through with his traitorous designs he has detained great part of his Majesty's revenues without giving any legal account, and has taken great sums out of the Exchequer for his own use, when his Majesty was necessitated for his urgent occasions and his army had been a long time unpaid. 4. He hath traitorously abused the power of his government to the countenancing and encouraging of Papists, that he might by their help prosecute and accomplish his tyrannical designs. 5. He has maliciously endeavoured to stir up enmity betwixt England and Scotland. 6. He has traitorously broken the great trust reposed in him by his Majesty of Lieutenant General of his army, by wilfully betraying divers subjects to death, the army to dishonourable defeat by the Scots at Newburn, and the town of Newcastle into their hands, to the end that by effusion of blood, by dishonour, by so great a loss, England might be engaged in a national and irreconcilable quarrel with the Scots. 7. To preserve himself from being questioned for these and other traitorous courses he laboured to subvert the right of Parliament and the ancient course of Parliamentary proceedings and by slanders to incense his Majesty against Parliament and to alienate from his Majesty the hearts of his people, to set a division between them and to ruin and destroy his Majesty's kingdom; for which they impeach him of high treason against our sovereign Lord the King, his crown, and dignity. 8. And he was Lord Deputy of Ireland, and Lieutenant General of the Army there, and a Privy Councillor for his kingdoms of England and Ireland, and President of the North, while these crimes and offences were committed, and he was Lieutenant-General of his Majesty's army in the North during the time the crimes in

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articles 5 and 6 were committed. And the Commons, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any accusation against the said Earl and of replying to his answers to the said articles, and offering proof of the premises or any of the accusations that shall be exhibited as the case shall require according to the course of Parliament, do pray that the said Earl may be put to answer the premises and that such examinations, trial, and judgment may be had on every of them as are agreeable to law and justice. [*Printed in Lords' Journals* iv., 97. *Rushworth's "Trial of Strafford," p.* 8, *and in Cooke's "Speeches in Parliament," p.* 117. 2½ *pp.*]

Nov. 24. 20. Another copy of the same. Compared with the original and certified a true copy by John Browne, clerk of the Parliaments. [5 *pp.*]

Nov. 24. 21. Another copy. [2⅔ *pp.*]

[Nov. 24.] 22. Another copy of the first four articles, with instances adduced in support of them. [2⅔ *pp.*]

Nov. 24. 23. Order of the Lords Committees for Petitions in the High Court of Parliament, on the petition of Robert Earl of Lindsey, that the cause between him and [Theophilus] Earl of Lincoln shall be heard on Tuesday 8th December peremptorily, and as the Earl of Lindsey mentions there are divers participants in the cause, he is to take care that the parties interested shall have timely notice, that they may attend the Lords at the hearing of the cause at 2 o'clock in the afternoon of the same day in the Painted Chamber. [¾ *p.*]

Nov. 24. Covent Garden. 24. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Bradley. I am sorry I cannot yet tell you there is any money on the way towards you, but I am confident there will be some in a very few days. To-morrow is appointed by the Parliament to consider what proportion shall be presently sent and what shall immediately follow, and I conjecture there will not be less than 50,000*l.* assigned to this service betwixt this and Christmas. I do not say it will be sent all at once, nor that the moneys you have returned upon me by bill of exchange must not be paid here out of that sum, whereof I send you a particular of such as are come to my knowledge; I confess you have made a very discreet use of them in lending to the soldiers, which I have not yet made known here, but do keep the Parliament in an opinion that the army is utterly unpaid since the 10th of November. They have entered into consideration of the unnecessary charge of the army, and if they can they will prevail with the King to cut off some 15,000*l.* a month from the train of artillery, and all the reformadoes, both Scotch and English, and to allow them no entertainment beyond December 8; but this is to be debated to-morrow and by my next you shall know their resolution. You have so well ordered the payments of the regiments about York and Ripon that I give my full consent to it. If you have not paid Elmhurst any part of his 4,000*l.* forbear until the army be in better condition. We

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are now in some trouble here how to proportion our payments, for the Parliament has not only undertaken the payment of the army, but also the composition with the Scots for those northern counties, which puts us to some distraction for the present; but this you may build upon, that they are sure though slow. This week by the post I received yours which I ought to have received last week so worn and torn it is impossible to read it, and I have sent it you back, that if there be anything in it I must know, I may hear from you next week. I must wholly refer the proportioning of the money that shall be sent down to you; you know best what the three regiments about York will come to, and the horse 12,000*l.* a month; and therefore proportion it so that the payment of the regiments about York and Ripon may go on equally. I am still of opinion to send all the money to Ripon and you to send by the same conductor the proportion necessary for the horse and foot at York. We are here in great affairs and proceed with a very heavy charge against my Lord Lieutenant. Let me entreat you not to be discouraged in this work, it cannot now be long, and that at the end of it you will accept lodging and diet in my house while we live; and that we may live there like friends you shall be troubled with nothing but my thanks for your acceptance of it [4 *pp.*]

25. Thos. Gundrey to RobertReade. I do not find that any commission for inquiry and seizing of Recusants goods has been executed in co. Southampton since 12 Car., but only that writs of that nature have been directed to the sheriff of that county. [*Seal with arms broken.* ¼ *p.*]

Nov. 25. South Duffield. 26. George Wasteneys and William Baas to [Captain George Porter]. Morris is dead and buried, and I and the paymaster by my appointment have made an inventory of all your money and goods in his hands at his death; he mentioned no one to enjoy all those small sums he said were in your father's hands, except one Richard Jonson, as appears by a writing in my hands. I shall be careful to keep the accounts till I see or hear from you. Pray mention what you would have done. [¾ *p.*] P.S. by Wm. Bass.—If it please you to accept my service in Morris' place, I shall be careful to perform my duty in it. [¼ *p.*]

Nov. 26. 27. The names of the Lords Committees appointed by the House to examine all abuses in matters of imprisonments and all other abuses in courts of justice. Their Lordships, or any seven of them, are to meet on Friday November 27th, by eight in the morning, in the Painted Chamber, and at what other times they please. [*Printed in the Lords' Journal iv.*, 98, *where, however, the names of the Earls of Cumberland, Southampton, and Clare, the Bishop of Coventry and Lichfield, and Lords North, Montague, and Howard of Char*[*leton*] *are omitted, and the Bishop of Carlisle and Lord Clifford are inserted.* 1 *p.*]

Nov. 27. 28. Another copy of the same in Sir John Lambe's handwriting. [½ *p.*]

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[Nov. 27.] 29. Petition of Thomas Earl of Strafford to the House of Lords. Prays: 1. That no witnesses be examined in this cause till petitioner has put in his answer to the charge of high treason. 2. That after his answer, no witnesses be examined before their names have been delivered to petitioner, that he may except against or cross-examine them. 3. Before overruling either of these points against petitioner, that you would hear his counsel at the bar, to show cause why he desires these points. 4. That you would pardon him if his petitions be not so formal as they might be if he had the help of counsel. [*Printed in the Lords' Journal, iv., p.* 99. 2 *pp.*]

Nov. 27. Whitehall. 30. Sec. Windebank to Sir John Conyers. Since the Parliament I have had little leisure to comply with those who have honoured me with their addresses, and yourself being of those I desire you to accept this just excuse of my long silence. I have received yours of Oct. 9 and 17, and lately yours of 22nd instant, with duplicates of Colonel Monro's to Sir Michael Ernle and of Sir Michael Ernle's to you, with all which I acquainted his Majesty, who commanded me to communicate them to the Lords Commissioners appointed to treat with the Commissioners of Scotland, which I have done; the Lords will represent the particulars to the Scotch Commissioners, and according to their answer take such course for strengthening Berwick and Holy Island, by supply of 1,000 men, as you propose, or otherwise as shall be fit. For what the Scots have reported about reducing Berwick, if the war cease, it is a business of great consideration; and besides the weighty reasons you give for continuance of the garrison there, I believe neither his Majesty nor the State of England will hold it safe to dissolve such a stronghold till they are assured that all danger of hostility between this nation and that is past. According to your desire, in your letters by Lord Conway, I have moved his Majesty for his letters of recommendation to the Queen of Bohemia and the Prince of Orange for your nephew Hume, and pressed him to write to the Prince with his own hand, for that he would do it to the Queen, I made no question; and I left with him a memorial and have reminded him of it sundry times. But finding him extremely full of business from the Parliament and the treaty with the Scots, and that it were a sin to be too importunate, I framed a letter to the Prince of Orange and made a little postscript which I besought him to add with his own hand when he signed the letter. This he did and the letter is signed, the postscript written with his own hand, and a duplicate of it goes herewith. The original is sealed and ready to be ordered as you direct. That to the Queen of Bohemia his Majesty has not yet despatched, but I shall quicken it with my best endeavours. [*Copy.* 2 *pp.*]

Nov. 27. 31. Draft of the above in Robert Read's hand. [2 *pp.*]

Nov. 27. Warrant of Commissioners for Gunpowder to Montjoy Earl of Newport. For 12 barrels of gunpowder to be delivered to William Reignold, of Wapping, ship-chandler, for furnishing of ships and supply of his shop. [*Minute. See vol. cccliv., No.* 61, *p.* 14. 5 *lines.*]

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Nov. 27. 32. Certificate by Sir Henry Vane, jun., Treasurer of the Navy, of ship-money paid in by virtue of the writs issued in November 1639. Totals received 41,539*l.*, remaining to be paid in, 168,860*l.* [1 *sheet.*]

Nov. 27. 33. Surrender by Thomas Hurt, clerk, B.D., of the living of Chelsworth, Suffolk, in the diocese of Norwich, to the King. [*Latin. On parchment.*]

Nov. 28. York. 34. Sir John Conyers to [Edward Viscount Conway]. I shall obey your commands touching the removing of my quarter. I have sent Captain Horner to seek Sir William Savile and advise with him, but I think Otley will be the most convenient place for us. As soon as money comes the [soldiers] shall remove, sooner we cannot without much clamour. I durst not but advertise the Earl of Northumberland that I had received order from you to remove my quarter. His Excellency writes that the gentlemen of this county have entreated him to remove the whole army into that part of Yorkshire where none have yet been and into cos. Lincoln and Notts., and methinks he writes as if he intended it. I have said I believe it will be good for this country and the army that we remove if his Excellency find it fit we quit the Tees and leave this country open to the Scots; besides I have desired him to consider if we go to lodge there what a long time will be required on occasion to draw the army together and march hither again; at least he must leave Stockton guarded and some other places on the Tees. When you have leisure let me know your opinion what will become of us at Berwick. Sir Michael Ernle and all from Berwick write that the Scots make great preparation in Scotland and levy the fourth man, but nobody in England will believe it; nor can I think what they intend, except to keep what they have in their hands. I wrote lately to your Lordship and Mr. Shalmer to make over the money I thought was in your hands, but Captain Brough has told me it is here. I thank you for your pains touching my nephew Hume. P.S.—I have written to the regiments that as the cessation of arms draws to a close every one should prepare their troops to be ready at an hour's warning. I send his Excellency a copy of my letter, and meant one for you, but my man is out of the way and the post is going. [2½ *pp.*]

Nov. 28. Brocklesby. 35. Sir William Pelham to the same. I was sorry you were dissuaded from going this way to London, but hope you will return by Lincoln. All your nieces are indifferently well and now employed in entertaining Sir Foulke Huncks and his lady, and other commanders, who have visited us on the way to their quarters. I heard lately from Oxford and Cambridge where both your nephews are well, so is your godson, and my son William mends fast, the danger being past as I am assured by one of the King's surgeons who viewed his knee. [*Seal with device.* 1 *p.*]

Nov. 28. 36. Notes by Sir John Lambe of business to be transacted this day at Denmark House concerning the rents of meadow, warren, tolls, &c.

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at Ampthill and Dunstable, Beds., part of the Queen's jointure. [½ *p.*]

[Nov. 30.] 37. Petition of George Walker, clerk, pastor of Saint John the Evangelist's, London, and of Nicholas Alvey and Matthew Treavis, his parishioners, to the House of Commons. Although Walker has for 28 years approved himself a faithful minister of God's word, lived in peace with his neighbours, contented with one of the smallest benefices in London, and well esteemed by all orthodox and faithful preachers in and about the City, as appears by an ample testimony subscribed by above 50 of them; yet of late years, since the increase of Arminians and Popish reconcilers in the City, he has been much vexed by false accusations, his doctrine secretly suggested against by those underminers of true religion, and he has been called ex-officio into the High Commission Court, put to great charges, and tired with long attendance, though no prosecutor appeared, nor could the least crime be proved against him. Sir John Lambe, pretending a command from the Archbishop of Canterbury, has divers times convented him and with threatening admonitions prohibited him from preaching and expounding certain texts of Scripture, as Gen. ii. 2, 3, concerning the Lord's Holy Sabbath; Is. vi. 10, concerning the hardening of rebellious reprobates by the Gospel preached to them, and II Timothy iii., about the perils and sins of the last times. And because petitioner has protested against his illegal admonitions and refused to be restrained from preaching and maintaining the true doctrine of justification by the imputed righteousness and satisfaction of Christ, and from confuting the contrary heresy of Socinus publicly held by some in the City, he has, for no other causes he can imagine, been traduced for a seditious preacher of factious doctrines which the present times cannot endure, and a hinderer of the good work in hand; and upon such accusations urged with great confidence against him he has, before any trial or legal defence, been imprisoned, whereby Sir John Lambe has taken occasion to sequester the profits of his benefice and to thrust scandalous persons into his cure to his great grief and offence of his parishioners, among whom the other two petitioners with others have by Joshua Wilson, one of the obtruded curates, been vexed with illegal suits in the Arches, where Sir John Lambe is a party and judge, and have by him been excommunicated and put to above 40*l.* costs in moving for prohibitions, which have been from time to time denied and could not be obtained till the end of this last term; and notwithstanding the prohibitions issued, Sir John Lambe and his Registrar for their absolution from his illegal excommunication require money of them and an oath that they will stand to the mandates of the Church,—which mandates they conceive to be the precepts of men such as our Saviour condemns in his Church and worship. Also without just cause he has heretofore suspended the petitioner Walker; and for the apprehension of a pious young man, an apprentice in the parish, who was known to take notes of sermons diligently from the mouth of his pastor, he sent pursuivants, who forcibly entering his master's house, searched all the rooms, put the

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women in fear, caused them to unlock their chests by threatening to break them open, scattered about the linen and household stuff, and carried the master of the house by force before Sir John Lambe, who required bonds of him to bring in his servant, then abroad on his business; and when he came in of himself bound him over to the High Commission and told his master they had dangerous crimes to lay to his charge, the chief he could learn from them being that he dispersed notes of seditious sermons. In consideration of which grievances petitioners implore the help of this honourable Assembly, that they may be redressed and they with many others of God's people shall continue to pray for the good success and happy issue of this most hopeful Parliament. [4½ *pp.*]

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Dec. 10.
The Hague.

38. Charles Louis, the Elector Palatine, to Sir Richard Cave. The Princess of Orange was yesterday with the Queen [of Bohemia], and told her she had sounded the intentions of the King and Queen of Great Britain by Mr. Henfliet, whether they would be willing to match one of their daughters with the young Prince of Orange, and that for the eldest he found the King unwilling, since he pretended to have been already engaged for her, but that for the second their Majesties showed no unwillingness, and therefore the Prince would to-morrow desire the States to ask either of them by a solemn ambassage, and to beseech their Majesties that the Princess they will grant may be bred in this country. She made great excuses to the Queen for having propounded such a business to the King without acquainting her, and that she concealed it by the King's special command, she desired the Queen to further it, because of the good intelligence it would breed between the two States. Being somewhat beholden to the Prince of Orange, I shall never envy, but rather wish his good fortune, and I think this is the greatest that can befall him in this world; but I do not conceive what should make the King precipitate the match, seeing both parties are of so unripe an age, and before they come to competent years the things of this world, and especially of this popular State, may change many ways. Methinks the King would do better to temporize with the Prince, and by keeping him in hopes of it he may have more advantage with this State than by so rashly engaging his daughter, and his honour, with those who shall always be obliged to court him as well for fear of the power of Spain as the growing greatness of France, either of which will, without England's assistance, swallow them up. Methinks next it is great sauciness in them to demand the breeding of so great a King's daughter, and it shows either great pride in them, or a distrust of their Majesties' integrity, withal it would seem as if she were here as a hostage that England should not cross their intentions any ways. Lastly, the concealing this business thus long from the Queen, my mother, shows much distrust, and little affection from the King, Queen, or Prince of Orange to her, and consequently that little advantage will thereby befall her, since it seems she is in such a predicament with them, that they will not trust her with what concerns her nearest blood. Though my free writing should not be shown to anybody, I desire

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Sir Thos. Roe may know my thoughts; but I beseech him that nothing be rashly concluded in this business, but that some advantage may be made of it in my cause; for if this occasion of the King and people's meeting be neglected, to speak after all appearance I am lost. I could wish the King would suffer me to come over with that man you know, but I fear there is no thought of it. [4 *pp.*]

Nov. 30. York, midnight. 39. Sir John Conyers to Edward Viscount Conway. Mr. Secretary Windebank tells me he has got the King's letter to the Prince of Orange on behalf of my nephew Hume, and sends me a duplicate of it. He assures me also a letter to the Queen of Bohemia and desires to know how to dispose of them. I have with my answer to him written to Sir William Boswell to the Hague, and entreated him to take further order about these letters; and have prayed Mr. Secretary to cause the King's letters to be sent with mine to Sir W. Boswell. I thank you for your favour in it, and beseech you help me give Sir Francis Windebank thanks for it also. I received command from his Excellency to Sir Jacob Ashley and myself to remove some of the foot and all the horse to other quarters if the cessation of arms be prolonged, and therefore to be prepared to march to them on his first orders; so that I think it will be to little purpose to remove my regiment for so short a space, for the moneys are not yet come, and till then we cannot remove. However, let me receive your further orders. The horse is all to remove into Dykemarsh and Marchland, where his Excellency says no horse have yet been; and if there be not sufficient quarters for us we may extend on the skirts of cos. Lincoln and Notts., near Dykemarsh. The country complains not so much of the foot as of the horse, therefore they shall only enlarge their present quarters, and some of the regiments may remove up towards Craven, where none have yet been, so that those that remain may have more freedom. This Sir James Ashley and I will presently put in practice to be ready against the next orders. The King has given Mrs. Cupper 100*l.* I find that because his [Captain Cupper's] officers durst not importune the Lord Lieutenant [of Ireland] they have not received the full of what was due to him at his death. I wrote to his Excellency to give his widow the pay he had till the places be disposed of, and dare say no more. Let the enclosed to Mr. Shalmer be carefully delivered, for in it is a bill to receive 300*l.* of Sir William Uvedale, which I have paid his deputy, Brodley, here. [3 *pp.*]

Nov. 30. Ferford. [Farforth.] 40. Ro[bert] Walls to Endymion Porter. Thanks for his past favours, and protests his love and service, though separated by distance. Was sorry not to be in the country when [Capt.] Porter and his wife were there. [*Seal with device.* 1 *p.*]

Nov. 30. 41. Notes of business transacted in the Court of Wards from November 23 to November 30, 1640. Each item is certified by the signature of Francis Lord Cottington, Master of the Court of Wards. [*Much damaged.* 4 *pp.*]

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Nov. Warrant to [Sir David Cunningham], receiver-general of the Prince's revenue, to pay to John Burredge, messenger-in-ordinary to the Prince, 54*l.* 14*s.* 6*d.* per annum, during life, to begin 27 March last; and is in consideration of service done in the copperas business, and his disbursements in two years' suit for the accomplishment thereof. [*Docquet.*]

Nov. Warrant to [George Kirk], gentleman of the King's Robes, to pay the tradesmen and artificers' bills for wares delivered and work done for the Robes for half a year ended at Michaelmas 1638, amounting to 2,464*l.* 3*s.* 7*d.* [*Docquet.*]

Nov. A like for payment of 2,421*l.* 16*s.* 6*d.* in satisfaction of the like bills for the half year ended at Lady Day 1638. [*Docquet.*]

[Nov.] 42. Petition of Sir William Playters to the King. Petitioner cannot but notice the proclamation signifying your Majesty's pleasure that all the gentry shall repair to their abodes in the country at such times as therein are expressed, which he is willing to obey in all things. But he is very much concerned to be in London with his wife, she being very sick, as by testimony of the doctor who has her in cure, whose name is hereunto subscribed appears. And as petitioner keeps no settled family in any place, his father being yet living, who keeps constant residency in the country, and only allows petitioner a bare annuity; he humbly prays for leave to reside in London with his wife, notwithstanding the said proclamation, and that he may not be molested or informed against for the same. [*Underwritten is the name* "Thos. Cademan, who was physician to the Queen, and was probably the doctor alluded to above." *Endorsed by Windebank:* "Playters' stay in town." ½ *p.*]

[Nov.] 43. Petition of Stephen Williams, tailor, to the Council. One James Davis, of Southwark, has caused petitioner to be committed to the White Lion, and thence to the Fleet, on a false accusation of his having given out that if the Scots should come to London they would have more partakers than the King. Prays to be discharged or admitted before the Council to be legally tried concerning this accusation. [1 *p.*]

[Nov. ?] 44. Certificate of Richard Crothall, of Benenden, Kent, to the same. Mrs. Brewer, of Boxley, still sends fuller's earth to the waterside, and has three houses on the shore where she stores the earth till the tide serves to bring up certain boats in which it is carried beyond Rochester, and then transported beyond seas in greater vessels. One Love, of the same parish, and Richard Roodes, of Maidstone, do the like. [1 *p.*]

[Nov. ?] 45. Pym's speech in the House of Commons, showing their grievances and the remedies. 1. The design on the part of the Papists to alter law and religion. 2. The hierarchy which cannot

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attain its object without breach of law. 3. Agents and pensioners of foreign states. 4. Favourites, as the judges and councillors, who for promotion prize not conscience; these persecute preachers and virtuous men, countenance preachers of contrary dispositions, and who negotiate with Rome to preach the absolute monarchy of Kings. Political grievances are: 1. The interpretation of law to serve their own turn and to impose taxes under colour of law. 2. To keep the King in continual want that he may seek their advice, and that by keeping Parliaments in distaste their counsels may be taken. 3. Arbitrary proceedings in courts of justice; all law is left to the conscience of a single man. 4. Plotters of war between us and Scotland. 5. The sudden dissolution of Parliaments and punishing of the members to prevent their speaking their thoughts. 6. The placing Papists in command of the army. 7. The erection of many monasteries in London through Papist agents. [*Printed in "Cooke's Speeches in Parliament," p.* 458. 2⅔ *pp.*]

[Nov. ?] 46. Sir Thomas Roe's speech on the state of trade and the prosperity of the kingdom. It is the general opinion that the trade of England was never greater; but it does not follow that the kingdom is rich and prosperous. Judging from the abundance or scarcity of money, gold and silver are very scarce and the kingdom impoverished. He points out that the money has been drawn away into other kingdoms, especially into France and Holland where it is worth more. Gives other causes for the scarcity of coin, and proposes remedies. [*Printed Ibid, p.* 185, *where the whole speech is given; this document only gives about a third of the speech.* 5 *pp.*]

[Nov.] 47. Petition of Thomas Denne, reader of the Inner Temple, to the Lords' House of Parliament. John Denne being possessed of money and goods to the value of 550*l.*, and having debts due to him to the value of 300*l.*, by his written will gave legacies amounting to 370*l.* and the rest of his moveable goods to Elizabeth his wife, whom he appointed his executrix, and died without issue; and his wife died within few hours. After her decease her sister, Jane Sparkes, late wife of John Sparkes, the Prince's cook, took letters of administration of John Denne's goods; and the Judges Delegates granted administration of the same John Denne's goods to petitioner, his brother and heir. Since then John and Jane Sparkes sued petitioner in the Court of Arches not only for the residue of the moveables, but also for the debts, which were not included in the legacy of moveable goods and did not belong to them, as was resolved by the Judges Delegates, four of whom were judges at common-law; for debita are in law neither bona mobilia nor immobilia, but tertia species per se. Pending this suit Jane Sparkes died without issue, and John Sparkes took new letters of administration of John Denne's goods in the name of Johane Freere and Faith Keene and prosecuted the suit in the Arches in their names; and in the vacation after Trinity term 1635 procured a hearing of the cause in petitioner's absence and obtained sentence against him before

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Sir John Lambe for 300*l.*, equal to the whole residue of the personal estate, the greatest part of which consisted in debts not then received, contrary to the resolution of the Judges Delegates, and to law and justice. From this erroneous and unjust sentence petitioner's proctor appealed to the Judges Delegates, but within a few days Sparkes procured an order from the Council to hinder the appeal; and in the beginning of Michaelmas term following when petitioner came to London to prosecute the appeal the then Lord Keeper [Lord Coventry], by reason of the Council's order, stayed it, and willed petitioner to petition the Council therein, which he did; but after long attendance, through Sparkes and his friends by an order of November 13, 1635, it was ordered at the Council table, principally by the Archbishop of Canterbury, that if petitioner did not rest in the sentence of the Court of Arches without pressing for a Commission of Delegates he was to stand committed. So for fear of imprisonment petitioner was forced to give over his appeal and to pay Sparkes 300*l.* and 55*l.* costs, and he has no remedy but in the justice of this honourable Court of Parliament. [*With marginal notes by Sir Jo. Lambe.* 1 *p.*]

[Nov.] 48. Petition of Miles Burkitt, vicar of Patishall, co. Northampton, to the same. Nicholas Gare, a blacksmith, lately chief apparitor for the diocese of Lincoln, and deputy messenger for the High Commission, has within the last six years promoted six suits against petitioner in sundry ecclesiastical courts, to his cost of 300*l.*, the loss of six years studies, and great grief of his parishioners. Also in 1637 Gare prosecuted petitioner to his cost of 200*l.* in the High Commission Court on the following articles: 1. For saying, as was pretended, in his sermon that though the faithful were persecuted and cropped they would continue faithful; meaning Burton and Prynne. 2. For exhorting his parishioners to contribute to the necessities of the saints in want, meaning Prynne and Burton. 3. For being at a fast or conventicle at the parish church of Marston, co. Northampton. 4. For preaching on Sunday afternoon till 6 o'clock, especially on the feast or wake day. 5. For praying without the Book of Common Prayer in visiting the sick. And as several commissions were sped about these articles, petitioner, having had woful experience of the violence and malice of Dr. Sibthorpe, Sir John Lambe's brother-in-law, gave written exceptions against Sibthorpe which were well approved by Dr. Eden, one of the judges; yet Sibthorpe was made a commissioner in each commission by Sir John Lambe, and being justice of the peace he exceedingly terrified petitioner's witnesses and threatened to lay them by the heels below and then cause them to be fetched to the High Commission and smoked above, as by the annexed certificate may fully appear, only because they refused to answer some of the promoters captious interrogatories, saying they conceived they were not bound by law to answer them. After this Sibthorpe, and one Willm. Ward, his fellow commissioner, made a most false certificate to Sir John Lambe against three of petitioner's witnesses, whereupon Sir

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John sent out an attachment hereunto annexed, and forced them to wait on him about three weeks in answering articles ex officio mero in the High Commission concerning the false certificate. Also he would not let them depart till they made full answer to all the captious interrogatories which they conceived they were not bound by law to answer, telling them he would send them to hell with a candle and lantern. Petitioner begs for justice. [*Copy.* 1¼ *p.*] *Annexed,*

48. I. *The above-mentioned certificate of Daniel Cawdry, rector of Billing Magna, and James Crawford, rector of Brockhall, co. Northampton, to Archbishop Laud and the rest of the High Commissioners, confirming the malice and violence of Dr. Sibthorpe in intimidating Burkitt's witnesses. Oct.* 15, 1638. [*Copy.* ¾ *p.*]

48. II. *Copy of the attachment mentioned above issued by Sir John Lambe against three of Burkitt's witnesses; given at Lambeth. Oct.* 25, 1638. [*Copy.* ¾ *p.*]

[Nov. ?] 49. Petition of Lawrence and Robert Squibb and James Proger to the King. By contract with your Majesty petitioners are to raise a duty of 3*d.* on every pair of fine cards and dice, but by reason of indirect dealings in the importation of foreign cards, contrary to statute, they could not hitherto raise much more than 1,000*l.*, which has been paid into your receipt. They have been at very great charges in keeping at work the whole company of card and dice makers, to their great relief, whereby trade is regained which was before in the hands of foreigners. Since the coming in of the Scots petitioners have not sold any cards, by reason of importation of foreign cards, and combination of the shopkeepers, who frequently sell them at low rates not paying any duty, which in these troublesome times petitioners have not sought to suppress. Now, as they have a very great stock of cards and dice on hand which will be an insupportable loss if not sold now, the only time of sale for the whole year, and it being likely the Parliament will dislike the prices they are now at; they pray you to remit the said duty, that they may sell at the prices heretofore usual, 3*d.* for the best cards, 2*d.* for the second, and 1½*d.* for the third, and petitioners will take care your composition money of 2*s.* per gross reserved on the cardmakers' charter is duly paid to you. [1 *p.*]

[Nov. ?] 50. Petition of Lawrence Squibb to the Lords' House of Parliament. Petitioner in managing the business of cards and dice which he undertook in 1637, has lost 1,500*l.*, and finding great abuses by the multitude of foreign cards imported, by advice of his counsel procured a commission out of the Exchequer for discovery of offenders buying and selling prohibited cards and dice. One Wm. Shawe refusing to be examined in accordance with the commission was taken into a messenger's custody to be brought before the Council to answer his contempt of the commission, and was detained only one night. About a fortnight after, on information of Thomas

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Webb that Shawe had spoken scandalous words against the Council he was committed to the Fleet by the Lords' warrant, dated March 24, 1637, where he continued about three months. Hereupon Shawe brought his action of assault and false imprisonment against petitioner, Robert Squibb and John Worfield, and lays the same as done on March 24, 1637–8, the day he was committed by the Lords. This was tried at the Guildhall, London, July 6 last; and though a copy of the Lords' warrant by which he was committed upon which petitioner thought he might rely, and to which he was no party, was produced, and witness on oath to prove it a true copy, and no witness to prove the commitment to the Fleet as done by defendants, yet the jury found them guilty and gave the plaintiff 500*l.* damages, besides costs, Shawe being a man of mean condition, trading only in beads, babies, dice, and the like; whereupon petitioner humbly conceives the damages to be most excessive, and if it be admitted he was guilty of the imprisonment in the Fleet, he hopes in your opinion that he and the rest have not deserved to pay the hundredth part of those damages. He therefore flies to you for succour, having already lost all his small estate in the business, and been much wronged by Shawe by scandalous speeches, and being now like to be utterly ruined by this heavy verdict, and he humbly submits to whatever you shall direct. [1 *p.*] *Annexed,*

50. I. *Petition from Lawrence and Robert Squibb to the same effect as above.* [1 *p.*]

[Nov. ?] 51. Another copy of the same. [1¼ *p.*]

[Nov. ?] 52. Draft of the same. [2⅔ *pp.*]

[Nov.] 53. Petition of John Fletcher, captain of his Majesty's fort at Milton, near Gravesend, to the House of Commons. Complains of the small number of men, five gunners and a porter, allowed for defence of so important a fort; that his allowance is only 26*l.* a year, and the gunners' pay so small they cannot live on it, while his is two years, and theirs four years in arrear. Prays for a larger number of men on competent salaries to be allowed for the fort; that his own and the gunners' arrears may be paid, and their allowances fitly augmented; for some unfinished works to be completed, and the workmen paid for work already done; that a committee of the House may be appointed to examine what privileges the fort has hitherto had, and to restore the same. [*Endorsed:* "Received these from the Lord Admiral to move the House to give allowances." ⅔ *p.*]

[Nov. ?] 54. Petition of William Pearne, merchant tailor, of London, to the same. Petitioner for 20 years has bought tobacco-pipe clay at cheap rates in great quantities, and it being free and lawful for every man to buy clay at the cheapest rate he could, petitioner travelled divers times in the last seven years to the Isle of Wight, and other remote places, to buy clay at the lowest prices, and had it brought by water to London at very great expense. Having

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brought several barks near to London, James Maxwell, Kirke, Lea, Price, Brutenell, and Richard Cox, untruly pretending the sole buying and selling of tobacco-pipe clay belonged to them by some patent from his Majesty procured warrants from Sir Henry Marten, judge of the Admiralty, and took by violence whole shiploads from petitioner, threatened to imprison him, and caused pursuivants, constables, and other officers for that purpose to molest him, to avoid which he was constrained to leave his house and family. In his absence they procured Alderman Atkins, then sheriff of London, by virtue of a warrant, as was pretended, from Lord Treasurer [Juxon] to come to his house, and threatened petitioner's wife to break open the doors, upon which she opened them; and on pretence of the same patent they took all the clay out of his house. Not only did they take petitioner's clay by land and water, and sold it at 6*l.* a ton, but they have forced him to buy his own clay of them at that price, an excessive rate, it being formerly sold at 20*s.* per ton; and by suits and vexations have caused him for peace sake to enter bond to them, by all which he is ruinated. He prays his losses may be examined by this House and recompensed by the said parties, and that the said patent may be produced, having been formerly condemned and cancelled in this High Court 21 Jac. I., as petitioner is credibly informed, and presumptuously set on foot again by the said parties who have thereby gained at least 2,000*l.*, and undone petitioner and many others. [*Draft.* 1 *p.*]

[Nov.] 55. List of some members of Parliament, apparently those adverse to the Court, since it comprises such names as Lords Digby, Say, and Brook, Sir Walter Earle, Sir John Hotham, Hampden, and Mr. Pym, against whose name is written "sold his offi[ce.]" [1 *p.*]

[Nov.] Warrant of Henry Earl of Holland to Richard Willis and Thomas Beale, woodwards, of co. Northampton. We have received certificates from Spencer Earl of Northampton, master of the game within the forests of Whittlewood, and Sir John Wake, Bart., lieutenant of the forest of Salcey, as well as from you, that the several coppices here mentioned are fit for his Majesty's profit to be felled and sold this present year, being usual saleable woods, parcel of the King's casual revenue, to be accompted for before his auditor in the ministers' accompts of that county, and for making of which sales to the King's use we have made choice of you, to whom these presents are directed. *Subjoined,*

Note of the parcels of underwood that may be spared this year, 1640, *to be sold for the King's use in the forest of Whittlewood, co. Northampton. The like in the forest of Salcey, co. Northampton. The like in Grafton Park, co. Northampton.* [*Copy.*; 4¼ *pp. See vol. cccl*xxxiv., *pp.* 99–103.]

[Nov.] Petition of the inhabitants of the parish of Loughton, in the forest of Essex, to Henry Earl of Holland, chief justice and justice in Eyre of all his Majesty's forests, chases, and parks on this side Trent. That Thos. Williamson, William Button, and Richard

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Cremer, of that parish, are now seated in several habitations, yet they persist in building habitations for their dwellings on the common of forest in that parish contrary to the laws of the forest and kingdom, the impoverishing of the parish, destruction of common woods, and evil example to others, there being at this time many houses empty and to be hired. Pray that course may be taken for stay of these buildings, and for demolishing of what they have already set up. Subscribed by 14 of the inhabitants. *Subjoined,*

Instructions by the Earl of Holland to Sir William Hix, lieutenant of the forest, to forbid the persons complained of to proceed any further in their unlawful buildings, and if any refuse to conform to certify to the Earl their names, that he may take such further order for the repression of this disorder as shall be agreeable to the forest laws. [*Copy.* 1½ *p. See vol. ccclxxxiv., pp.* 103–105.]

[Nov. ?] 56. Petition of Robert Stone, prisoner in the Marshalsea, to Sec. Windebank. Petitioner has been prisoner in the Marshalsea these 10 months, and lately pardoned by his Majesty from suffering death; he has endured great misery by lying on the bare boards and has been kept from starving as long as his poor mother could relieve him, but she has become so poor she can do no more for him. He prays you to let his pardon pass the Signet, that he may be able to do his Majesty service. *Underwritten,*

56. I. "*I desire Sir Henry Marten to certify me the nature of petitioner's offence, together with the circumstances thereof, and whether it be fit for his Majesty to grant him his gracious pardon; that thereupon I may receive his Majesty's further pleasure herein. Francis Windebank.*" [1 *p.*] *Annexed,*

56. II. *Certificate by Sir Henry Marten that at a sessions held for the Admiralty in Southwark March* 21, 1638–9, *Stone was convicted of buggery and sentenced to death, but was pardoned by his Majesty on his being certified of the offence.* [1 *p.*]

[Nov. ?] 57. Edward Nicholas to [Sir John Conyers]. On receipt of yours of the 20th inst. I prepared ready for the King's hand the two letters you desired [*see November* 13, *vol. ccclxxi., No.* 60 *and Nov.* 27, *this vol., No.* 30], and delivered them to Sec. Windebank, who I believe has before this sent them to you. It is conceived that your Instructions were sufficient to authorise you and such as you should appoint to see the service in the East and North Ridings of Yorkshire. The letters for Cumberland and Westmorland were at first omitted, but now they are despatched and will I hope be with you before this comes to your hands. I shall most readily employ my best endeavours in anything that may either advance his Majesty's service wherein you are interested or may be of use to you in particular. [*Draft partly in shorthand.* ½ *p.*]

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Nov. Toddington. 58. Thomas Lord Wentworth to Edward Viscount Conway. Expresses his desire to serve his Lordship, which he may hereafter have the opportunity to prove if his fortune improves. [1 *p.*]

[Nov.] 59. Notes by Sir John Lambe, endorsed, on the petition of Cokein and Bracye. [½ *p.*]

[Nov. ?] 60. Proposed scheme for reducing the army, specifying the regiments to be retained in the King's pay, with a list of the number of the troops as they are now taken, amounting to 5,553 men. If these 5,553 men, which are now in 11 regiments, are to be reduced to 4,000 his Majesty may be pleased to express into how many regiments these 4,000 shall be reduced, then to nominate the chief officers and order the under-officers also to be appointed. Each captain may then be appointed where to receive the soldiers that shall make up his company, and have warrants to receive them from their present commanders. Care must also be taken what course to take with the officers and soldiers that are to be cashiered, that they commit no disorder through discontent or want of government. If your Majesty will have but 4,000,—as seems to be necessary, having victuals for no more,—those that shall go reformadoes must be drawn within the number of the 4,000 in such regiments as they shall choose; and they must be allowed some money monthly for providing themselves victuals extraordinary. Their general entertainment must be specified; they will look for some imprest, and the rest at their return. The supernumerary and sick soldiers that must be left behind your Majesty may order to have some money in lieu of the clothes provided for them and to carry them home into their own counties, and pass-ports given them describing the ways and limiting the number of days allowed them to travel, and strict orders to punish them if found out of those ways or misbehaving themselves; for which purpose the Lords may write to the justices of the counties which they pass through to suffer them to pass, to be careful of their behaviour, and punish them if they behave not civilly. There are two points that offer to break uniformity in the carriage of this business: Lord Morton's regiment of 1,400 men and Captain Butler's company of 200 Irish. The remedy for this will be to reduce the rest of the regiments to 800, which is 80 in each company, and so the four regiments and the company of Irish will amount to 4,000. Stricter order must be given to all officers to bring up their men, and deliver them according to a list they shall receive from the Lord General, to such persons as he shall nominate. [2¼ *pp.*]

[Nov.] 61. Brief of the cause for which the prebendaries of Durham, York, and others are impeached on complaint of Mr. [Peter] Smart. Mr. Smart in 1628 preached a scandalous and schismatical sermon at Durham in which were many invectives. 1. Against Divine Service as performed in cathedral churches; saying their whole service was little else than superstitious vanity, squeaking, bleating, roaring, thundering; and that singing was a base employment, &c. 2. Against the Books of Common Prayer, Ordination, and Articles of

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religion; saying that the name of priest was Popish, antichristian, &c. 3. Against his Majesty's chapel; saying that the altar was a damnable idol and was never out of the King's chapel, &c. 4. Against the Fathers of the Primitive Church; saying that they made way for Antichrist and the abominable sacrifice of the Mass, &c. 5. Against his superiors and brethren in the church of Durham; calling them blind guides, rotten members, little better than heretical Montanists, blind Popish priests, &c. 6. Against the peoples communicating in that [cathedral] church, saying how dare you communicate here? Stay at home in your own churches, not yet polluted with idols, &c. This sermon he printed in Scotland and published here without licence, and added a slanderous preface full of untruths and pretended innovations in the church of Durham, which indeed were no other than what have been usually and anciently practised in other cathedral churches of England and his Majesty's chapels royal; as the altar or communion table set at the upper end of the choir, wearing of copes, vocal and instrumental music, bowing, standing at the Creed after the Gospel, burning many wax candles, and the pictures of cherubims over the choir stalls and a tomb which have been there nigh 300 years. For this sermon he was convented before his Majesty's Commissioners at Durham, being most of them prebendaries of that church, but they did nothing whereby he suffered either imprisonment, fine, or loss in his estate. Afterwards the High Commissioners at London, taking notice of it from Dr. Howson, then Bishop of Durham, convented Mr. Smart by letters missive. Thence, before any proceedings were taken, he was by his own consent, transmitted to his Majesty's Commissioners at York, where, after deliberate hearing of the cause and full proof made: 1 He was sentenced to make an acknowledgment of his fault, fine and imprisonment being added till he should perform it, according to the usage of that court. 2. On his express refusal thereof he was excommunicated by the court. 3. On his further contempt they ordered the profits of his spiritual livings to be sequestered; but this was not put in execution. 4. Upon his incorrigible obstinacy after 15 weeks Dr. Harsnet, then Archbishop of York, and some other Commissioners there, degraded him from all ecclesiastical orders. Whereupon, by a trial and judgment at the common-law in the assizes at Durham, he was ejected from his prebend at the suit of Dr. Carr, who succeeded him in it, and has enjoyed it these nine years. And upon a suit in the Chancery at Durham brought against Mr. Smart by Mr. Robert Chapman, who succeeded him in his parsonage, he willingly consented to Judge Hutton's decree, that resigning all right in the parsonage, he should receive out of it, the whole value being 80*l.* yearly, the sum of 40*l.* yearly, which has been paid him ever since. Lastly, on the King's special command, he was lately sent for out of Northumberland by the Bishop of Durham to appear before the Council in London to answer for preaching seditious sermons. Notwithstanding all this, Mr. Smart now complains in Parliament of these several proceedings against him and of the former pretended innovations

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at Durham. To which the persons impeached have made true answers, *Underwritten,*

61. I. *Mr. Smart also complains of Dr. Cosin in particular:* 1. *That he officiated at the altar with his face towards the east.* 2. *That he crossed the cushions and forms in the church.* 3. *That he spoke scandalously against the Reformers of our religion.* 4. *That he said, the King was not Supreme Head of the Church. To which Dr. Cosin has made this clear and true answer:* 1. *That he never purposely turned to the east, always officiating at the north side of the table, unless about* 12 *years ago,—and never since, when he stepped once or twice to the former part to bless and deliver the bread and wine, which being usually placed in the midst of the table he could not otherwise have reached. Nor was this any singularity in him, for divers of the prebends used so to do before his coming to that church.* 2. *It never entered his thoughts to cross the cushions or forms, yet there are divers old cushions with embroidered crosses on them, as part only of the church arms, that were so made long before his time.* 3. *He has always blessed God for the Reformation of the Church of England from Popery and superstition; that his sermon preached about* 15 *years since and now complained of was directly contrary to Mr. Smart's untrue suggestion.* 4. *That in a casual discourse about* 14 *years since he only said that the Acts of Parliament now in force did not call the King supreme head, but supreme governor; as Bishop Jewell, Dr. Reynolds, Mr. Camden, and others have declared against the Papists; yet that then he did and always has maintained his Majesty's Supremacy according to his bounden duty and his oath frequently taken.* [2 *pp.*]

[Nov.] 62. Brief of the defence of the proceedings against Mr. [Peter] Smart by the High Commission at York and the Dean and Chapter of Durham. To the same effect as the preceding paper, except that the underwritten notice about Dr. Cosin is omitted. [1¾ *p.*]

[Nov.?] 63. Statement of the cause of Mr. Kilvert, declared by the Vintners' Company to be projector of the 40*s.* per tun duty on wine [and brought before a Committee of the House of Commons]. In 1633 Lord Treasurer Weston demanded of the Vintners' Company 4*l.* a tun on retail of their wines; the Company refused it, and a Star Chamber decree was made to bar them from dressing flesh. In Feb. 1634 the retail vintners were questioned for breach of the decree, and thereupon they lent 6,000*l.*, and got leave to dress meat till December following; all this appears by the orders at Vintners' Hall. But they exceeded that time, so Stanley and 16 more vintners were in Feb. 1636 brought by Mr. Attorney into the Star Chamber for breach of the decree; this appears by Star Chamber records. This was eight months before Alderman Abel and Kilvert

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knew one another. In October 1637 Stanley moved Kilvert to get his pardon, but the King refused to pardon any, commanding Kilvert to attend Mr. Attorney in questioning the rest for breach of the laws. This being made known to the Company, they consulted at their hall, and to save themselves out of the Star Chamber they drew up a petition in 11 articles, one of which desired allowance of 1*d.* a quart, and offering his Majesty 40*s.* a tun if he granted them the 1*d.* a quart, and other benefits; all which they contrived at their hall, and Mr. Kilvert never heard or thought of the 1*d.* a quart or 40*s.* a tun till they had contrived the petition at their hall in Nov. 1637, 10 months after they were questioned in Star Chamber; but they were never questioned at all by Kilvert. The King grants their petition, and thereupon the Vintners, with the French and Spanish merchants, contract with the King by indenture. The Vintners took counsel, and were advised by Mr. Recorder and Serjeant Stone that they might lawfully enter into that contract. Now this contract proving unlawful, the Vintners to excuse themselves would lay the fault on Kilvert, and say he threatened them with the Star Chamber, and so would conclude him the projector; whereas it appears by records they were sued there by Mr. Attorney eight months before he knew of the business, and the petition, the 40*s.* a tun and 1*d.* a quart, were projected by themselves at their hall, and solely for their benefit; and it could be no benefit to Kilvert. It is against all probability that they were threatened into this contract, for—1. They propounded it at their hall, and petitioned for it. 2. They often ratified it at their hall, as appears by several orders. 3. It was so beneficial to them, and solely to them. Yet they would be admitted witnesses, being parties, and to excuse themselves would depose that they were threatened by Alderman Abel and Mr. Kilvert. But it will be proved by witnesses, no parties, that Alderman Abel and Mr. Kilvert could not rest for their importunities to finish the business for them, after they had agreed on it amongst themselves at their hall. Mr. Kilvert submits it to the wisdom of this honourable Assembly whether it be likely that the whole Company of Vintners would be brought to petition for and enter into a contract of such weight, together with the French and Spanish merchants, for a threatening in Star Chamber; or whether the apparent profits they were to enjoy thereby drew them into it. And admit Kilvert had threatened to sue them in Star Chamber, when any common informer might have done it, for breach of the laws; shall this conclude him the projector of this 1*d.* a quart and 40*s.* a tun, which, by the Vintners' own orders, appear to be projected by themselves at their hall? Lastly, the Alderman [Abel] and his counsel took up almost two days in his defence, and in recriminations on Kilvert, so that there was no time for Kilvert to make these particulars appear, though he was and is ready to prove every word by witnesses, records of Star Chamber, and orders of Vintners' Hall. [1½ *p.*]

[Nov.?] 64. Another copy of the same. [1⅔ *p.*]

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[Nov.] 65. Political lampoon in verse, consisting of nine stanzas of six lines each; the penultimate stanza runs—

"Although this island abound in all crimes,
"The Parliament saith we shall have better times,
"Then let us not faint, like things without hope;
"A halter for traitors, and a fig for the Pope.
"Let Spain and the strumpet of Babylon plot,
"Yet we shall be safe."

[*Much abbreviated.* 1 *p. Printed in Rous' Diary, p.* 110. *Camden Society's Publications.*]

Nov. 66. Brief in a suit in the Arches Court, on behalf of Christopher Horne against Mr. Robert Knowles, clerk, vicar of Bibury, co. Gloucester. [11 *pp.*]

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Dec. $\frac{1}{11}$. 1. Elizabeth Queen of Bohemia to Sir Thomas Roe. Since I wrote by this bearer to you, the Princess of Orange has told me of a match almost concluded between her son and my second niece. The bearer will tell you my sense of it and how it has been carried; I pray do in it as he shall desire from me both tothe King [of England], and the Earl of Northumberland, and to both as of yourself. I cannot see what the King can gain by precipitating this marriage, but only to give a pledge to the States [of the United Provinces] for his good behaviour. They seek to get my eldest niece, but that I hope will not be granted, it is too low for her. Do your best in this and that which you find for my brother's honour, for I cannot see he can get any by hastening the match, besides you may think what interest I have in it, both for my brother's honour, my niece's good, and my children's. [*Two seals with arms and crown.* 1 *p.*]

Dec. 1. 2. Order of the House of Commons that Mr. Sec. Windebank shall to-morrow morning answer such questions as shall be propounded to him on several informations delivered in here against him. Meantime he is to have notice of this order. [8 *lines.*]

Dec. 1. 3. Mr. Glyn's report from the Committee for Inquiry after Papists. Evidence against Sec. Windebank for releasing priests and Jesuits under his own warrants, &c. [*Printed in the Commons' Journals ii.*, 41, *and Rushworth's Collect., iv., p.* 68. 3 *pp.*]

Dec. 1. 4. Richard Johnson, keeper of Newgate, to Robert Read. I was questioned by the House of Commons how and why Peter Curtis, a priest, Young, a monk, Valentine, a Grey-Friar, and Francis Harris, a secular priest, were committed to Newgate, and by whose warrant they were discharged. I answered that I never had in my custody any of the warrants of commitment or discharge, only I found an entry in a book that one James kept when he was clerk to the keeper that Peter Curtis was delivered by warrant from Sir Ralph Winde-

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bank, Principal Secretary of State, June 12, 1634, but it was conceived it was a mistake of the name of Sir Ralph for Sir Francis; that William Valentine was delivered by warrant from Sec. Windebank, 12 December 1633; Francis Harris by the like warrant, 4 June 1634; and that Willm. Young was continued prisoner on the indenture at Michaelmas 1635, which is all I have touching those four. I answered, too, that since then Henry Morse was convicted for a priest and reprieved before judgment, and afterwards discharged by warrant under the King's hand dated 20 June, 13 Car., which warrant I left with you and [you] now have it, that the same Morse and John Goodman were committed by order from the High Commission, 18 June 1640, and were both discharged by Mr. Secretary's warrant, 3 July 1640; that John Blake, a Papist, was committed by Mr. Whitacre, 17 May 1640, for scandalous speeches against religion, was tried at the King's Bench and stood on the pillory and fined, and discharged by Mr. Secretary 4 September 1640, which is all the account I have given. John Browne was committed by warrant from the Archbishop of Canterbury, Sir John Lambe, and Dr. Duck, dated December 5, 1639, and discharged by Mr. Secretary [Windebank], March 19, 1639[–40], but I gave no account of him. I only told the committee for this business [to inquire after Recusants] to whom I also gave the same account, that one James Laurence, formerly committed for a priest, but never in my custody, was a prisoner to the House, but at large as he had formerly been, at the instance of a friend of mine, and I now have him in hold. This is all the satisfaction I can give you. The warrants and book before mentioned I was commanded to produce all but those for Browne. With hearty desires of good success I rest. [*Endorsed:* "Discharge of Priests by Windebank." 1 *p.*] *Enclosed,*

4. 1. *Note of Papists discharged out of the New Prison and the Clink by Sec. Windebank alone, also a list in Read's writing of those so released from the Gate-house and Newgate.* [1 *p.*]

Dec. 1. Covent Garden. 5. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Brodley. I am so confounded here with the orders of the Parliament House I much fear I shall not make myself understood. I have spent many hours idly with you, I would give 100*l.* for one of them now. The case is thus: the Parliament has undertaken the payment of the army from the 10th of November, upon which foot I think the horse and foot stand clear, had I known how to have got in that money you returned upon me by bills of exchange, which appears to me already to be 4,840*l.*, I would not have undertaken this business, but I was forced to hedge in that debt, for so it lay upon me to undergo this new way of payment, the King having no money to pay it me. Therefore, the case standing thus, we must be both content with it for a time, I hope it will be but a short one. There is 30,000*l.* to be sent down to the army, it will be set forth I think on the 3rd inst. It is to be distributed to the army by way of lendings, from November 10, but you must remember that this 4,840*l.* is part of it, for I must pay it here, and perhaps I may stay 1,000*l.* more of it if I see it may

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be spared. I find by your letters there is advanced by way of lendings to the foot 7,200*l.*, this must go on the Parliament account; and therefore you will have some spare money in hand upon the King's account, which I desire you will reserve in your hands and deliver to no paymaster under you there except just so much money as will make up the lendings, they have delivered out already. [*Margin*: "The Parliament knows not of these lendings."] For the sums the Lord General shall resolve to allow by way of lendings to the horse and foot, as soon as I receive their directions you shall have them, I expect them to-morrow. The trouble will be that you, Miviott, Leech, and Henn must begin your account in new books from November 10, and keep that account apart, for that must be the Parliament's account, the other the King's. If the paymasters for the horse have advanced anything by way of lendings to their troops since 10 November, that must be looked after also, and so much abated out of what should be allowed, for the Lord [General] will proportion how much shall be lent to every troop and so much must be charged to them on the Parliament's account. I am much afraid I have not made my meaning plain, and therefore desire Talbot may be sent hither post, and by some discourse I shall be better able to make him understand all things here. I have written to him to that purpose, and desire that by him I may understand the true state of the army from November 10. The danger will be, if you have paid any warrants since that time, how we shall come off with them. I desire also a list of the warrants in your hands yet unpaid. This post I have received no letters from Ripon or York, which troubles me much. [4 *pp.*] *Enclosed,*

5. I. *Note of the sums returned on Henn and Miviott.* [1 *p.*]

Dec. 1. Office of Ordnance. 6. Certificate by the Officers of Ordnance specifying the quantity of gunpowder sold during November and what remains in store. Issued in November 3 lasts 5 cwt., remains in store in the Tower and at Portsmouth, 213 lasts 17 cwt. 41 lbs. [2 *pp.*]

Dec. 1. 7. Thomas Butler to Endymion Porter. Is so much in debt from borrowing money to supply the wants of himself and family he is in great distress, and his horse being lame at Hatfield, he knows not how to get home; prays for assistance and advice. [1 *p.*]

Dec. 1 Burdrop. 8. Sir William Calley to Richard Harvey. I approve well of the moneys Mr. Long has called in, and would have the 208*l.* tendered to Anne Bowdler, though it be somewhat after the day it was due; and if it be agreed between them that Sir Edward Wardour shall receive the money, yet besides having my bond up I would have it under her hand in writing and not take her bare word that she did consent thereto; for the other odd 100*l.* called in and the remainder of my interest money in your hands, I wish you to keep it till you hear from me or my son how to dispose of it. You shall be welcome to Burdrop at Christmas or any time you think fit to come. I conceive it unlikely at present to have my bonds out of the Exchequer as Lord Cottington and Mr. Lenthall are absent from that court.

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I am glad Sir William Beecher is at liberty again. One thing seems strange, and questionless it was a mistake in you, that the third brother, Maurice, of the Prince Palatine is gone towards Bannier, and the Prince himself is still in Denmark instead of France I believe. Orders household stores. I cannot see how enough treasure should be raised out of men's fines to pay all his Majesty's debts and fill his coffers without the delinquency be general. We hear the Bishop of Lincoln is called to sit in the Higher House, but I give no credit to it, because you could not have passed by such a remarkable thing. [*Seal with arms.* 1 *p.*]

Dec. 2. From the Clink. 9. Thomas Dade, keeper of the Clink, to Robert Read. According to your request Mr. Davison sent you yesterday the names of those gentlemen committed to his custody and discharged by Mr. Sec. [Windebank] alone, some out of the New Prison in Maiden-lane, of which Davison was keeper—the prison being now dissolved—and the rest out of the Clink; their names as presented to Parliament, were, viz., out of the New Prison, Harry More Mr. Tressum [Tresham], now prisoner in the Clink; out of the Clink, Humfrey Turberville, Waler, Drury, Holmes, Edward More, a condemned man, and Southworth, a condemned man, now prisoner in the Gate-house. I thought good to give you further notice that the Committee insisted most on these two points, that condemned men were discharged by him alone, and they as well as the rest by the name of gentlemen only, no mention being made of priests answerable to their warrants of commitment. Davison was also questioned of my going abroad, and answered that he thought Mr. Secretary had business with me that concerned the State, so I hope Mr. Secretary will answer for me in that point. P.S.—Use the same diligence in this business at the Gate-house and Newgate, for he [the Keeper] of Newgate being required to produce his warrants of releasement, unable to give a good account, said he thought all the priests that were missing were released by Mr. Secretary. [*Seal with device.* 2 *pp.*]

Dec. 2. Westminster. Nicholas to the Officers of the Ordnance. The Commissioners for Saltpetre desired you to send by Friday an exact certificate of all serviceable powder delivered into his Majesty's stores by Samuel Cordewell between Nov. 1, 1639, and Nov. 1, 1640, being the fourth year of his contract. [*Copy.* ½ *p. See Nicholas' Letter Book, Dom., James I., vol. ccxix., p.* 181.]

Dec. 2. 10. Thomas Butler to Endymion Porter. Understanding you are very much displeased with me for some words I wrote yesterday, I am heartily sorry I should write or speak anything to displease you, therefore beseech you to forgive me what is past, and I shall be careful of what is to come. My necessity forces me to trouble you it is so great that unless you commiserate me I cannot clear myself out of this town, nor yield any comfort to my family when I come home. [¾ *p.*]

Dec. 3. 11. Sir Edward Deering's third speech in the House of Commons on the Canons passed in the late Synod. This morning is designed

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for our consideration of the late and former canons, and what the clergy have miscalled a benevolence; I shall only touch on the first. The Pope, they say, has a triple crown, and that he may support it, pretends to a threefold law: the first jus divinum, episcopacy by Divine right; this he would have you take to be the crown next his head. Our bishops have in an unlucky time presented their title to this crown, especially episcopacy by Divine right. The second is jus humanum, the gift of indulgent princes, temporal power; this law belongs to his middle crown, also pleaded for by our prelates in print. These two crowns being obtained he, the Pope, makes a third himself, and sets it on the top. This also has its law, jus canonicum, of more use to him if once you admit it than both the others; so our prelates from the pretended divinity of episcopacy, and the temporal power granted from our princes, now obtrude a new canon-law on us. They have charged the canon upon us to the full, never fearing they should recoil into a Parliament, they have rammed a prodigious and ungodly oath into them. The illegality and invalidity of those canons may be manifested by one shot, viz., what do you call the meeting wherein they were made? Mr. Speaker, who can frame an argument aright unless he can tell against what he is to argue? Would you confute the Convocation House—they are in a holy synod. Will you argue against their synod—they were the Commissioners? Will you dispute their commission, they will mingle all power together, and perhaps answer they were something else we neither know nor imagined? Unless they own who they were, we may prosecute a non-concluded argument. I have conferred with some of them, founders of those canons, but can never meet any of that Assembly who can answer the first question in the Catechism—what is your name? The sum of their answers is, they were a convocation house, or synodical assembly of commissioners. Indeed, a monster to our laws, a Cerberus to our religion, a strange commission where no commissioners names are to be found, a strange convocation that lived when the Parliament was dead; a strange holy synod, where one part never conferred with the other; but, indeed, they needed no conference if it be true, quis nescit canones Lambethæ formari, priusquam in Synodo ventilentur? They have innovated on us, we may say it is justice and it is lex talionis to innovate on them, and so I hope we shall shortly do. Meantime my humble motion is that every member of that meeting who voted the canons come to the Bar of this House with a canon book in his hand, and unless he can answer the Catechism, as I called it, in such express terms as this House think fit, he shall abjure his own issue, and be commanded to give fire to his own canon. [*Printed in "Cooke's Speeches in Parliament," ed.* 1641, *p.* 94, *and much fuller in Rushworth's Collect., iv., pp.* 100–104. 2 *pp.*]

Dec. 3. 12. Another copy of the same with some variations. [2½ *pp.*]

[Dec. 3.] 13. Petition of Henry Burton, late prisoner in Castle Cornet, Guernsey, to the Commons. Recites the proceedings against him in

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the Star Chamber and High Commission for two sermons preached in his own church, St. Matthew's, Friday-street, London, in November 1636; was censured in the Star Chamber, fined 5,000*l.*, deprived of his benefice, degraded from all his University and other degrees, ordered to be set on the pillory, and have both his ears cut off, and be perpetually imprisoned in Lancaster Castle, whence he was removed by what extra-judicial order he knows not, to the said Castle of Guernsey. Prays the House to assign him Mr. Serjeant Atkins, Mr. Tomlyns, and Mr. Gurdon for counsel, to assist him in the better manifestation of his grievances in this cause. [*Signed:* "Henry Burton," *and endorsed:* "Mr. Burton's new petition." *Printed in Rushworth's Collect., iv., p.* 78. 1 *p.*]

Dec. 3. London. 14. Certificate of George Fletcher, John Wood, and George Warren, merchants, of London, trading to Barbary. We laded the ship Royal Exchange, of London, 400 tons burden, with guns and other merchandise, to be delivered in the Road of Sophia in Barbary, to the Emperor of Morocco or his agents, paying freight according to agreement with Robert Blake on behalf of the Emperor; which agreement not being performed we desire authority from his Majesty to sell the said guns and merchandise to our own use in any place we can. [$\frac{3}{4}$ *p.*]

Dec. 3. Covent Garden. 15. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Brodley. I have sent to Ripon by Goldsbury to-day 25,000*l.*, 10,000*l.* of which is to be delivered to the Commissioners for the counties under contribution; the rest is for the army. Out of this I have paid your bills of exchange, whereof you must stand charged; they come to 4,840*l.* Before you can receive this money you shall have instructions how to dispose of it to the army. [*Seal with crest.* 1 *p.*]

Dec. 3. Wakefield Lodge. 16. Thomas Beale, lieutenant of Whittlewood Forest, co. Northampton, to [Spencer Earl of Northampton, master of the game in the said forest]. We are assaulted on every side of the forest by deer stealers or purlieu men, who will destroy the game if your Lordship continue silent one half year more. I do not mean all purlieu men, but some who have in these 12 months got their purlieus made free-warren, and prohibit our pages or any of us from coming therein to re-chase the King's deer, on pain of 5*l.* or 10*l.* fine for each trespass as their patent runs; so we cannot hunt our deer as we used to make them keep within the forest bounds, nor know half the deer they daily kill. Yet of deer lately killed which we could take notice of in Lord Spencer's purlieus, and the forest adjoining, by Parson Shyrt, John Symonds and his son, Robert Dewhurst, Anthony Gibbes, and the rest of the inhabitants of Wicken, and Sir Edward Tyrrell, and his company, who seldom hunt apart, I enclose a particular, by which you may partly see the mischief done to Hanger Walk and Wakefield in the last six weeks by not sparing unseasonable deer, and at unseasonable times, with such violence, too, that a doe killed by their dogs which fell in the forest was wrested out of the hands of the page's son by the two Symonds. If you sit down under this

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his Majesty's officers will shortly compass their ends concerning this forest, which I conceive, by their large grants of free-warren, is to destroy the game, that the King may have no pleasure here, and be more willing to sell it. Describes more abuses by deer stealers. If you please to confer with the King's Attorney I believe he will question these common deer steelers in the Star Chamber, though some of them suppose their offences will be pardoned by this Parliament. Good my Lord, be urgent in maintaining your own rights in the trust you have here under the King, which has been too much trenched upon by the Earl of Holland by appointing a steward without your consent, and granting a warrant to hawk all the forest over, both which the former masters of the game here had entirely to themselves; and now lastly by making the ancient purlieus free-warren, though Sir Charles Harbord, by certificate from me and divers letters since, had timely notice with sufficient reasons to prevent it. And for your fee-wood, and that of your rangers and lieutenant which by the Surveyor General, Sir Charles Harbord's, too good husbandry for the King, has been these three years suspended, I think it a fitting time now for you to get your right thereto re-established, as it was always formerly duly paid to to you and the former masters of the game. P.S.—Sir Edward Tyrrell, presuming, I think, on the power of his brother, Windebank, never begins his chase in his own purlieus, if he has any, but in Lord Spencer's, and is so greedy after flesh he kills carrion or unseasonable deer. [3 *pp.*]

Dec. 4. 17. Minute of a warrant for the commitment of Sir John Jennings to the Fleet. [*Docquet.*]

Dec. 4. 18. Memorial by Sir John Lambe of what was agreed at the Queen's Council held [at Denmark House] under date, about tenements and rents at Scalby, co. York. [¼ *p.*]

[Dec. 4.] 19. [Speech by Robert Read in the House of Commons in answer to the charge against Sec. Windebank and himself.] I know I shall come upon a huge disadvantage to answer this charge, enforced with such confidence by this man. I know, too, with whom I have to deal, one that has craft enough ex-officio. But I hope to prove him not his craft's master in this, and that part of this charge is merely fantastic, part most maliciously scandalous. The offer of the composition is that which most nearly touches Mr. Secretary [Windebank] and myself, and 'tis that too, I dare say, that renders the whole business more odious to this honourable Assembly. That no such offer was made by us, but that such an offer made by him was scorned by us, is my part to prove, and I shall do it fully. To prove that such an offer was made by us is his part, and I believe he will find it hard. The party he alleges to have made such an offer is so mere a stranger to me that to this hour I never saw his face. But whatever he be that has made any offer in Mr. Secretary's name or mine he shall have his thanks for it that he is in the practice against us. These generals I thought fit to represent to this honourable House, which, though I cannot expect they can

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altogether dis-deceive them, yet I hope they may serve to suspend their judgments till they shall have heard my answer; which is my most humble desire. [*Endorsed:* "Mr. Sec. Windebank." *Draft in Read's handwriting.* 1½ *p.*]

Dec. 4. York. 20. Sir John Conyers to [Edward Viscount Conway]. The last I received from you was to remove my regiment from Wakefield, which had been done ere now had money come; and that we are not to expect this 10 or 12 days. I have since informed you that his Excellency [the Lord General] intends we shall all or most of us remove if the truce be prolonged; and I beseech you then let me have a direct order what troops shall remove and what stay. But, as I have said, money must be first here to pay all scores. I now send his Excellency a list of the quarters we now lodge in; the like I send you enclosed, and desire to know how to dispose of Captain Barry's troop, where he shall march, and where lodge. Sir Jacob Ashley tells me the Roman Catholics are all to be discharged by the 8th of next month, and he has notice to inform of them. I beseech you let me hear from you. [1½ *p.*]
Enclosed,

20. I. *List of the quarters of the regiments in Yorkshire.* [1 *p.*]

Dec. 4. Covent Garden. 21. Sir William Uvedale to Matthew Brodley. I have sent you by my fellow Harrison 24,000*l.*, there is also 10,000*l.* of the money to be delivered to the Commissioners of the northern counties, the rest is for the army. I purpose to despatch a post to you that will be with you before this messenger. [*Seal with crest.* 1 *p.*]

Dec. 4. 22. Deposition of Henry Horsfield, of Halifax, co. York, on oath before Robert Rich, J.P., concerning the importation of fuller's-earth to Hull. About 18 November last deponent being at Hull had information by one William Hodgson that John Holmes had brought a good quantity of fuller's-earth, and delivered it on shore to one Henry Holmes, of Hull, belonging to his Majesty's custom-house there, who there offered it for sale, promising Hodgson 10*s.* to provide him a chapman; but by what licence the earth was wafted thither deponent knows not yet, but Holmes promised to bring more, that being sold, when they pleased. About the same time a quantity of fuller's-earth was at Hull offered in barter with a clothier for kersies, by Richard Wran, hall keeper there. But whether it was the earth imported by Holmes, or any other secretly brought thither, deponent cannot learn. By this means deponent cannot dispose of the quantity of earth he has been licensed to bring to the said county [of York]. [*Endorsed:* "John Holmes is now loaded with lead from Hull, and lies about Porter's Quay." ½ *p.*]

Dec. 5. Westminster. Nicholas to the Officers of the Ordnance The certificates of the 1st and 3rd of December crossed each other, for in the one Mr. Cordewell was stated to have brought in his full proportion of powder for the month of August, and in the other that the proportion for August was wanting. The Commissioners desire to be certified from you

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for how many and which months Mr. Cordewell has delivered in his monthly proportion of gunpowder for the fourth year of his contract. Send back both these certificates. [*Copy.* 1 *p. Nicholas' Letter Book, Dom., James I., vol. ccxix., p.* 181.]

[Dec. 5.] 23. Henry Elsyng, clerk of the Parliaments, to Robert Reade. I have been several times to-day to wait on you from his Grace of Canterbury, who desires to see Mr. Sparkes' petition to the House of Commons against Dr. Cousins, which you have among those papers you received of me. I entreat you either to deliver it to Mr. Dell, or to appoint him a time for me to wait upon Mr. Secretary [Windebank] or you for it. I should also look at my journal to satisfy his Grace in some particulars concerning Dr. Beale what time you shall appoint, if you will let me understand it by Mr. Dell. [1 *p.*]

Dec. 6. Whitehall. 24. Order of the King in Council. Whereas Thomas Ball, Thomas Pentlowe, John Gifford, Thomas Martin, John Spicer, John Friend, Peter Whalley, Edward Arnold, Edward Pickering, Henry Collins, John Ward, John Eakins, and Thomas West were in May last convented before the Board for their carriage in the election in April of knights of the shire for co. Northampton for the ensuing Parliament, tending, as was then conceived, to the prejudice of the deputy-lieutenants, they having cried out "no deputy-lieutenant," and made that an exception in the minds of the people, to the great hindrance of the levy of soldiers then in hand; and after being examined by the Attorney General were dismissed on entering bond to answer any information brought against them on his Majesty's behalf in any court of justice: this day his Majesty in Council was acquainted by Mr. Nicholas, clerk of the Council, that the said parties desired to have their bonds delivered up, that no further prosecution might be taken against them. His Majesty considering thereof, and having heard his Attorney General, who took the said examinations, was pleased to make this favourable construction, that the words mentioned were not spoken against the office of a deputy-lieutenant but to distinguish the other gentleman to whom they then gave their voice, who was not a deputy-lieutenant, and with the advice of the Board ordered their bonds to be delivered to them, and that they should be discharged from any proceeding that was to be had against them touching the matter aforesaid. [2 *pp.*]

Dec. $\frac{6}{16}$. Calais. 25. Robert Reade to his cousin [Thos. Windebank.] Thursday night last [Dec. 3] I wrote to you from Queenborough, where we lay on board all night. In the morning early we put forth, but from an extreme calm got no further than Margate Roads that night. Saturday morning we were very leisurely conveyed to Deal, where the ship anchored, and finding her very unfit for our turns because so unwieldy in this calm, we got a little cockboat of Deal to waft us hither; but the night proved so dark we could not find this town, and the next morning the fog grew so great we had very much ado to find the passage into this place. This

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Mr. Secretary [Windebank] has passed very well, having been sick only one hour last night at sea, but of other things you will imagine he is most sensible. If possible we shall go towards Paris to-morrow. We should be extremely glad to hear what are like to be the proceedings concerning him, and though my own particular in this time be of least consideration to me, yet you will oblige me infinitely to let me know whether anything is spoken of concerning me that may reflect so deeply upon me as to question my poor fortune; for although I call God to witness I am not guilty of the least corruption or dishonesty, yet I believe I may run hazard, and in such a case it were fit to provide for the best. P.S.—Methinks by the dexterity of our friends with you some way might be found to accommodate these grievous businesses and so to bring us together again. Consider it and advise with some friends about it; by my next I will say my opinion more fully. [*Seal with arms and crest.* 2 *pp.*]

Dec. 7. 26. Resolutions condemning ship-money passed by the House of Commons on the report of the Committee for Ship-money. [*Endorsed by Nicholas:* "Ship-money condemned by vote in the House of Commons." *Printed in the Commons' Journal, ii., p.* 46. ¾ *p.*]

Dec. 7. 27. Another copy of the same [1 *p.*]

Dec. 7. 28. Lord Falkland's speech in the House of Commons against the decision of the judges in the case of ship-money. I rejoice very much to see this day, yet truly mine opinion is we have yet done nothing if we do no more. I will first desire the forgiveness of the House if in aught I say I seem to entrench on another profession and enter on the work of another robe, since I have been intrusted by the report of a learned Committee, and confirmed by the uncontradicted rule of the whole House; since I shall say nothing of this kind but in order to somewhat further; and since I am confident, history alone is enough to show this judgment [in Hampden's ship-money case] contrary to our laws, and logic alone sufficient to prove it destructive to our propriety, which every free and noble person values no less than his possessions. I will not profess I know of myself, and all who know me know it of me, that my natural disposition is far from inclining to severity, much less to cruelty; that I have no particular provocations from their persons, and have particular obligations to their calling against whom I am to speak; and that only public interest has extorted from me that which I would not say, if I conceived it not both so true and so necessary, that no meat undigested can lie heavier on the stomach than this unsaid would have lain on my conscience. Lord Falkland then proceeds to expound the bearing of the case and the grounds which rendered the decision of the judges illegal. They have delivered an opinion and a judgment, the first in an extrajudicial manner, and both upon an extrajudicial matter, that is such as came not within their cognizance, they being judges and neither philosophers nor politicians, in which when it is so absolute and evident the law of the land ceases and that of general reason and equity, by which particular laws at

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first were framed, returns to her throne and Government, where salus populi becomes not only suprema but sola lex. This argument gradually leads up to the conclusion that the Lord Keeper Finch is the chief transgressor. It is, therefore, my humble motion that we choose a select Committee to draw up his and their [the judges] charge and to examine their carriage in this particular, to make use of it in the charge; and if he who thought tampering with witnesses in a private case worthy of so severe a fine should be found guilty of tampering with judges against the public security; if he shall be found to have gone before the rest to this judgment, and to have gone beyond them in it; that in punishment for it the justice of this House may not deny him the due honour both to precede and exceed the rest. [*Printed in "Cooke's Speeches in Parliament," ed.* 1641, *pp.* 336–341. *and in Rushworth iv., pp.* 86–88. 8¼ *pp.*]

Dec. 7. 29. Thomas Williams to [Endymion Porter]. Protests his gratitude for past favours. Has sent an Oxford cake by bearer, his cousin, from which if it prove good let Captain Porter have one toast in a cup of Muscadine. Entreats his cousin may have his petition signed, for which alone he stays; for his adversaries wish to crush him and already give out that next term they will pay him. [½ *p.*]

Dec. 7. Glympton. 30. W. Wheate to Dr. [Richard] Bailey, dean of Salisbury, his brother-in-law. I am heartily vexed at the gross foolery of these Chester men; their proceedings are absolutely without any privity of mine, and I hope so of my father Stone. They had not cause to complain of his Grace of Canterbury unless it were for his favour in helping them out of those briars; and it is most absurd in them to mention any of those particulars which I and my father Stone did act, and for mentioning whereof we now must inevitably incur his Grace's hard censure. I pray you confer with my father hereof and plead for us as you find just cause, and if you intimate it requisite for me to come up and justify any particular I shall do it most readily. I am sorry things have been so ill-carried concerning our friend Mr. Warner. His wife is better and they send their love [*Dorso, in Laud's handwriting:* "Mr. Wheate's letter about the Chester men." *Seal with arms broken.* ⅔ *p.*]

Dec. 8. York. 31. Sir John Conyers to [Edward Viscount Conway]. Last night I again received order from his Excellency [the Lord General] to remove the horse to other quarters in and about Marchland; but the troops being a month's pay behindhand and having got credit in their quarters according to his Excellency's orders, it would be a great inconvenience to the country to go hence and leave their scores unpaid. I have, therefore, stayed them here till his Excellency's further order and fear I shall be chidden for it, though I think I have not done amiss. I have also desired in this now and in my last to know who shall remove and who stay, for some have been in these quarters but awhile, and the Tees ought to be guarded and Stockton Castle not abandoned. This his Excellency said in one of his last, but gives me no direct order in it. His Excellency

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writes also that the Parliament and the King have resolved to cashier the Popish officers, and that next pay-day it shall be put in execution, but gives me no order who shall be discharged nor who shall do it; this day is the pay-day his Excellency meant but there is no money to pay them. He writes also to cause 20,000*l.* to be conveyed to Croft Bridge for the Scotch army and that it must be done by a discreet captain; here are but three in all, of whom Vaughan, a Papist, is one and he will now be discharged. I will take order in that and Jack Minee [Captain John Mennes ?] shall be the man. I have sent Sir Foulke Huncks towards Dykemarsh and Marchland to inform himself of those places and mark out our quarters, that we may with the more speed remove on his Excellency's order. I believe you were glad to be gone hence when here was much business, for [my part] I am very weary of this place now|there is but little to do. I am of opinion the business will not last long with us here, nor with me elsewhere. [2 *pp.*]

Dec. 8. Covent Garden. 32. Sir William Uvedale, Treasurer-at-Wars, to his deputy, Matthew Brodley. There is 50,000*l.* now upon the way, 30,000*l.* of it is for the army, the other 20,000*l.* is for the relief of the northern counties, you must take care it is delivered to the Commissioners for the northern counties at Ripon, whither indeed all your moneys are to come according to your own directions. This 30,000*l.* must be distributed to the horse and foot by the way of lendings, but you must remember that all you have lent already must be part of it; your bills of exchange are paid out of it and whatever you have advanced to the army more than those bills must be reserved by you to pay some arrears of the King's army unto November 10, and when I know what remains I will give you directions how to dispose of it. The case is altered with us now again, for the Parliament is contented that the Lord General shall have the disposing of the moneys as he formerly had, and I enclose a list signed by him how the moneys are to be disposed of. You know the Scotch and English reformados are to be cashiered, and certainly if you cannot get money from the Lord Mayor of York, they will expect to be paid to the very day on which you pay them off, and I know not well how it can be avoided. Deliver over the 20,000*l.* to the Commissioners for the northern counties as speedily as you can, for they pretend their countries are plundered for want of it. I have sent you copies of the Lords' letter to the Commissioners, of the Parliament's orders, and of an acquittance by which you may see the substance. I have sent also a bill for 100*l.* which I have paid here to Sir William Allenson directed to his lady, it is to be paid at sight, and was done upon much importunity. I send also another bill drawn from me by the like importunity which is for 14 days' pay that I have advanced to Captain Porter; pray take care I lose it not. Golsbury brings with him 25,000*l.* with his bills of exchange, and Harrison 24,000*l.*, only somewhat for his charge is deducted; the other 1,000*l.*, making up Harrison's 25,000*l.*, I have stayed here for bills of exchange and portage money 300*l.* of it must be paid to Sir John Conyers and 100*l.* to Sir

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William Allenson. I have sent also a warrant for Talbot to come post; if you think needful send him, for by that means we may clearly understand one another. P.S.—I have sent you a letter of Miviott's by which you may see what has been advanced to the troops under his charge. It is not intended by these directions that you should advance these sums to every regiment out of the money sent down, but that you should make up the sums formerly advanced to these sums, otherwise your bills of exchange cannot be paid. Lieutenant-Colonel Price desires you to receive his entertainment for him and pay none of it to his lieutenant and when you have it I will pay it him here. More money will be sent shortly, when you shall have at least order to clear the army one month. [4 *pp.*]

Dec. 8. 33. Certificate by the Officers of the Ordnance of the gunpowder delivered into his Majesty's stores by Mr. Cordewell, his Majesty's gunpowder-maker, from 1 November 1636 to 8 December 1640. From November 1636 to November 1637 he delivered in 240 lasts; from November 1637 to November 1638, 200 lasts, or 40 lasts less than the quantity contracted for per annum; from November 1638 to November 1639, 240 lasts; and from November 1639 to November 1640, 214 lasts, or 26 lasts less than the contracted amount, which is still deficient for this year. [2⅔ *pp.*]

Dec. 8. 34. Deposition on oath of William Hurman before John Page, that having examined the yearly value of the inheritance of Thomas Lord Arundel of Wardour in cos. Somerset, Devon, and Cornwall at his direction, he conceives that if the said inheritance were now sold it would not yield 3,500*l.* [½ *p.*] *Annexed,*

34. I. *Deposition on oath of John Ellis before the same, that Thomas late Lord Arundel of Wardour, deceased, had divers children, who, together with their issue, are above* 20 *persons now living.* [¼ *p.*]

Dec. 8. 35. Certificate of Thomas Sheppard, J.P. for Middlesex, that Sir Thomas Aston, Knight and Baronet, has this day taken the Oath of Allegiance before him. [*Seal with arms damaged.* ½ *p.*]

Dec. 9. 36. Order of the House of Commons. That Sir George Ratcliffe, now in the custody of the Sergeant-at-Arms attending the House, be by the Speaker's warrant committed to the Gate-house and be kept there in safe custody during the House's pleasure, there being an information of high treason against him; no man to speak with him but in the presence and hearing of the Keeper of the Gate-house. [1 *p.*]

Dec. 9. Office of Ordnance. 37. Certificate of the Officers of the Ordnance to the Commissioners for Saltpetre and Gunpowder. That Mr. Samuel Cordewell, gunpowder-maker to his Majesty, has in the year November 1639 to November 1640 delivered into his Majesty's magazine only 200 lasts of powder, being 40 lasts short of the yearly quantity he contracted to supply. [1 *p.*]

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Dec. 9. Covent Garden. 38. Sir William Uvedale, Treasurer-at-Wars, to Matthew Brodley, his deputy. I have sent you by Lord Crawford a list signed by the Lord General for payment of the Scotch reformados. I have also advanced him 100*l.*, which you must defalk out of his pay; I could not avoid it for they had no money to carry them down. I much fear they [the reformados] will expect their pay to the very day on which they are paid off, and if so you must advise with Sir John Conyers or Sir Jacob Ashley, who must grant you a warrant to do it. Deliver the 20,000*l.* for the northern counties to their [the Scotch] Commissioners at Ripon as soon as may be. [*Seal with crest broken.* 1 *p.*]

Dec. 9. 39. Receipt by Matthew Brodley for 1,000*l.* received of Thomas Hodgson, alderman of York, for the use of Sir William Uvedale in paying the army; to be repaid by Sir William within 10 days after sight hereof. [½ *p.*] *Dorso,*

39. 1. *Received the above* 1,000*l. from Sir William Uvedale for the use of Alderman Hodgson, of York. Thomas Dickson. Dec.* 19, 1640. [4 *lines.*]

Dec 9. 40. The like for 350*l.* received from Sir John Conyers. [½ *p.*]

Dec. 9. 41. The like for 300*l.* received from Thos. Hewley, draper, of York. [½ *p.*] *Dorso,*

41. 1. *Received the above William Lester, servant to Mr. Tempest Milner, draper, of the Red Lion, Watling-street. December* 22, 1640. [4 *lines.*]

Dec. 9. 42. The like for 200*l.* received from William Loupe, clerk in Mr. Brookes' office in the Exchequer. [½ *p.*]

Dec. 9. 43. The like for 200*l.* recieved from Robert Hemsworth, alderman of York. [½ *p.*]

Dec. 9. 44. Certificate by Sir Edward Wardour, J.P. for Middlesex, that Henry Skipwith, son of Sir Henry Skipwith, has now taken the Oaths of Allegiance and Supremacy before him. [½ *p.*]

Dec. 10. 45. Petition of Edmund Craddock to the House of Commons. Petitioner being one of the church-wardens for St. Martin's Parish, in Leicester, for the year 1633, was, on discharge of his office in 1634, cited to appear in the spiritual court held at [Market] Harborough before Sir John Lambe, commissary to the Ordinary of the diocese, and Mr. Reginald Burden, his surrogate; where several articles were exhibited against petitioner about pretended misdemeanours in the execution of the said office, to the following effect: 1. That he refused on Mr. Burden's command to remove one Jacob Bothomley an excommunicated person, out of St. Martin's Church during Divine Service. 2. That he did or might know that divers of the parishioners during the time he was church-warden omitted to stand up at the rehearsal of the Creed, to bow at the name of Jesus, to kneel at public prayers, or to sit uncovered at the time of Divine Service [*marginal note:* "These four offences he was bound by law

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present"], yet he omitted to present any person so offending to the Ordinary at his visitation; with divers other articles of the like nature. Petitioner having appeared on the citation was examined, and by order of the court was adjourned to appear again at a certain day appointed by the said judges; and so from one day to another his appearance was adjourned 30 several times, so he was forced on every adjournment to repair to Harborough and back, a distance of 12 miles from Leicester, and was kept in continual attendance thereupon from June 1634 till December 1635; and at length for want of appearance in the said court he was by Sir John Lambe and Mr. Burden excommunicated, nor could he be absolved till he had by the taxation of the surrogate of the court paid 5*l.* 10*s.* to the proctor that prosecuted him ex-officio. Petitioner desires this Assembly to take this case into their consideration, that poor subjects may be eased from the insupportable burthen they undergo by the abusive proceedings of ecclesiastical courts in this and many other cases of like nature. [*Copy. Endorsed by Sir John Lambe: "R.* 10 Dec. 1640," *but Craddock's petition was not referred to the Committee for scandalous ministers till* 29 *June* 1641. *The marginal notes are by Sir John Lambe.* 14 *pp.*] *Annexed,*

45. I. *Form of acknowledgment enjoined on Edmund Craddock, of St. Martin's Parish, Leicester.* 19 *Sept.* 1636.

45. II. *Certificate that Edmund Craddock performed his acknowledgment in the vestry of St. Martin's, Leicester, Oct.* 9, 1636. [1½ *p.*]

[Dec. 10.] 46. Petition of Jacob Bothomley to the same. Petitioner being apprentice to his father, late of Leicester, did, in 1634, by his command, repeat to him the notes he had taken of a sermon preached at St. Martin's Church, Leicester, on a Lord's day in that year. For so doing petitioner was cited to appear in the spiritual court before Sir John Lambe, commissary to the bishop of that diocese, and Mr. Reginald Burden, the surrogate, and for his pretended offences he was by them enjoined in St. Martin's, Leicester, in time of Divine Service, to make his public acknowledgment hereto annexed. Petitioner refusing to perform this order they decreed excommunication with an inhibition, thereby not only pronouncing petitioner excommunicate, but in the public congregation inhibiting all persons to buy or sell, eat or drink, or have any commerce with him. So he was forced to give up his trade in Leicester, and seek a livelihood elsewhere, notwithstanding his earnest petition to Sir John Lambe in London for absolution. He continued excommunicate for six years, till the issuing of the writs for this Parliament, when he was absolved. He humbly offers his cause to the consideration of this House, and craves such redress as shall be thought meet. [*Copy, with marginal notes and queries by Sir John Lambe on petitioner's statements.* 1¼ *p.*] *Annexed,*

46. I. *An order of acknowledgment enjoined on Jacob Bothomley, of All Saints' Parish, Leicester, to be performed as follows:—* [*Marginal note by Lambe: "Did he not submit at his*

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absolution, and promise or consent to perform this penance?"]. *He is next Sunday at evening prayer to come into St. Martin's, Leicester, and stand as the minister shall appoint where he may be best seen and heard by the congregation, and penitently to repeat this confession in an audible voice after the minister, "Good people, whereas I, not having the fear of God before mine eyes, nor respecting my soul's health, have wilfully and stubbornly broken the King's Majesty's laws which in conscience I ought to have obeyed, by taking upon me"* [*marginal note: 'Sir, to my best remembrance the words within inverted commas which I have under-scored were put out of his acknowledgment, and then he consented to do it'*], *having no authority or lawful calling hereunto, to expound the Word of God by repeating sermons, and performing or rather profaning other parts of God's Divine Service in public, delivered by me in private meetings and before persons excommunicate, contrary to the laws and lawful commands of my ordinary, thereby breaking the godly peace and unity of the church, and giving scandal to religious and sober-minded persons. I do, therefore, being enjoined by my ordinary, humbly acknowledge my offence and am heartily sorry for it, and do from my heart acknowledge that all the King's Majesty's laws ecclesiastical are agreeable to the Word of God, and that I will hereafter conscionably and faithfully observe the same, and live in due obedience of his Majesty's laws and the lawful commands of my ordinary and superiors, and never offend again in this kind. And I desire you all here present to be satisfied with this my submission and acknowledgment, and to pray with me, and for me in this form of prayer, Our Father which art, &c."* [*Copy.* 1¼ *p.*]

Dec. 10. 47. Another copy of the same. [*Endorsed by Sir John Lambe*: "Copy of Jacob Bothomley's petition, R. December 10, 1640." 2 *pp.*]

[Dec. 11.] 48. A political squib written upon the presentation of the City's petition against Bishops to the House of Commons, entitled, "Alderman Woolestone's [John Wollarton's?] speech upon that discreet petition against Bishops and Church Government, subscribed by him and Alderman Warner, together with some 5,000 ingenious and understanding craftsmen; and by them without fear or witting faint-heartedness presented to the House of Commons." It is a pungent doggerel poem of 150 lines, beginning—

"To you, grave Speaker, and the rest beside
Grace from above and peace be multiplied,"

and then proceeding to rail against bishops and episcopacy in such lines as—

"First, down with Bishops, that ungodly fry,
You may at leisure yield the reason why . . ."

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It concludes—

"Besides, this discipline will work a wonder
Ne'er known since Popes went out, 'twill keep Kings in safety."
[4 *pp.*]

[Dec. 11.] 49. Petition to the House of Commons [endorsed by Archbishop Laud: "Draft of the City's petition in Parliament," apparently a counter petition to that printed in *Rushworth iv., p.* 93, being favourable to the retention of the episcopal government and forms of the Established Church]. The unexampled care and labour of this Assembly to remove what might any way shake the settled peace of the Kingdom in Church or Commonwealth emboldens us to represent our fears and humbly seek redress. Whereas you have already, to our great joy and comfort, given new life and vigour to the laws prudently made against Popish recusants, and removed divers innovations in our Divine Service tending to their favour as we feared, and have put us in great hope of deliverance from Popery, as time and opportunity shall enable you to finish that great work, whereto we glady promise our best endeavours: now we find that by neglect of due execution of Church government, divers other schisms, that for a long time slept or lurked in corners, are in several conventicles professed almost as publicly amongst us as the true doctrine of the Church of England; and the due preaching of the Word of God is oft diverted from teaching the true doctrine of our Church, and the observance of the legal and evangelical commandments, and other fit instructions of saving faith and Christian conversation, to contentions about matters indifferent, declamations against the established form of divine service, and to seditious incitements to tumults. And hence have grown in the Church distractions of very dangerous consequence, tending to the great dishonour of Almighty God, the scandal of the true Protestant religion professed by us, the abuse of those holy places consecrated, and ever since the Reformation continued apart, for God's public worship, the contempt of the ministry so far that illiterate laymen have presumed to preach and minister the sacraments, and the general corruption of manners and growth of disobedience. Hereby the consciences of good men are disquieted and disheartened, and the bad let loose to profaneness and contempt of government and magistracy, so far that we have just cause to fear these growing evils will shortly produce further outrages dangerous to the City and the whole kingdom, if not prevented by your timely care and countenance of the public magistrate in the just execution of the laws for suppressing such disorders, and in confining the ministers and lecturers to their holy and modest duties of sincere doctrine, exemplary humility and obedience, by all good means promoting the unity of the Church and peace of the kingdom. We, therefore, pray the timely and speedy help of this Assembly for strengthening the enfeebled sinews of government, and for quenching the seditions that schismatical ministers and preaching laymen daily kindle amongst us, whereby we may subsist till you shall one by one destroy the cankers of public liberty in our Commonwealth, to which nothing

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can be so destructive as anarchy; and weed out the schisms and false opinions in our Church which can never be safe if divided. [*Corrected and endorsed by Laud.* 1 *p.*] *Annexed,*

49. I. *Draft of the clause "whereas you have already . . . best endeavours," substituted in place of the corresponding clause in the above petition, which is struck out.* [8 *lines.*]

[Dec. 11.] 50. Petition of the inhabitants of East Holland and Sibsey, and other commoners in the east and west fens, lying on the north-east side of the river Witham, co. Lincoln, to the same, signed by Nehemiah Rawson, John Lyne, and William Clay. Petitioners and all dwelling in East Holland, Sibsey, and places adjoining during the time of their residence there have time out of mind enjoyed free common of pasture for all their cattle and turbary and other profits in the said east and west fens, by reason of which commons, multitudes of people have been induced to live in those unwholesome parts, and have been enabled, not only to make many chargeable gotes, drains, bridges, and other works of sewers for preservation of the fens, but to maintain many thousand families, and to pay to his Majesty's provision 100*l.* per annum for East Holland only, and to maintain in arms for his Majesty's service, and the kingdom's, 140 footmen at least, besides horses and other great charges. Yet of late some persons, out of a covetous desire to advance their own out of petitioners' estates, have endeavoured to deprive them of the greatest part of the commons, the principal livelihood of many thousands of petitioners; and to effect this Sir Anthony Thomas, pretending the fens were hurtfully surrounded about 10 years since, procured himself to be chief undertaker for draining the drowned grounds in those parts, and procured a Commission of Sewers directed to sundry persons of quality residing in those parts, who proceeded by jury of substantial men to inquire what grounds were hurtfully surrounded, which jury of above 30 able men returned on oath that only the east fen and some sea-walls adjoining were hurtfully surrounded; whereupon Sir Anthony Thomas and his secret assistants more intending to add to their estates by getting great shares out of the west fen and other grounds, which were good and rich ground, than to advance the public good by improving bad ground, and finding the Commissioners of Sewers would not unjustly betray petitioners' estates to their covetous desires, by strength of their friends procured a new Commission of Sewers from his Majesty, superseding the former. Few or none of the old Commissioners were named in the new Commission, but most of those named were coadjutors of Sir Anthony Thomas, and having thus obtained power, the new Commissioners without any jury, and in an illegal way, on a slight and colourable view of their own, found not only the east fen but great quantities of the west fen and other grounds, the particular inheritance of many persons, to be hurtfully surrounded and thereupon imposed several taxes on the fens and grounds for draining them; and for non-

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payment of the tax which they knew beforehand could not possibly be paid, they unlawfully decreed to Sir Anthony Thomas, John Worsop, and other partners in the design not only a full half of all the east fen, but also about 5,000 acres of the west fen, the whole fen being only about 17,000 acres, and also many several grounds of divers lords and owners near those fens, to the great impoverishing of the whole country thereabouts and the utter undoing of multitudes of petitioners and their families. Since this decree Sir Anthony Thomas, John Worsop, and their participants have inclosed all the grounds decreed them, and by privy conveyances have divided them amongst themselves and their friends, and the residue of the fens left to petitioners remain as hurtfully surrounded as before the draining was undertaken, and they have excluded petitioners from having their wonted course in their old drains for their other grounds of inheritance not contained in the undertakers' level, to petitioners' very great damage, and have appropriated the bridges and sluices over the same to their own use without giving any satisfaction for them, and many of the new works of the undertakers are so weakly erected that some of them have lately fallen down and so all the country about had been in great danger of being surrounded had not the inhabitants by their great industry and at excessive charge speedily prevented it. Further, Sir William Killigrew, Robert Longe, George Kirke, a groom of the Bed Chamber, and Thomas Cooke, counsel-at-law, not content herewith, but desiring more of the west fen, have procured some agreements with his Majesty to have the west fen, reserving an inconsiderable rent to his Majesty for it, and the better to wring from petitioners the residue of the said fen not taken from them under colour of draining, and to gain the best part of it to share amongst themselves, they procured a great number of Privy Seals out of his Majesty's Court of Duchy at his Majesty's suit and served them on a multitude of petitioners, being men accustomed to live in peace and unacquainted with law suits, on purpose to terrify them into yielding them another great proportion of the west fen by way of improvement as pretended lords of the soil, and before the return of the Privy Seals George Kirke and his partners procured and brought into the country a commission to treat with petitioners about the fen and his Majesty's right therein, affirming they should have his Majesty's favour if they would yield him a proportion thereof peaceably, but if not his Majesty would proceed in suit against them; upon which threats and specious pretences Kirke, Longe, and their participants obtained from some of petitioners agreements to have part of the said fen, and to settle the rest with many advantages on petitioners, to which agreements very many of the most considerable persons among petitioners never consented, but Sir William Killigrew, George Kirke, and their partners, under colour of such pretended agreements, inclosed by force to themselves, but in pretence for his Majesty, about 6,700 acres of the best part of the west fen, and left petitioners a very small quantity, and that in such narrow bits that it is rather highways to the said participants' great inclosures than common for

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the thousands of people that have right of common therein, and the better to establish themselves in their possession, they caused petitioners to be sued in his Majesty's Duchy Court at his Majesty's suit, and the possession of the premises to be settled on themselves and taken from petitioners by injunctions illegally obtained, by which petitioners are stript of the premises, albeit not one article of the pretended agreements is made good to any of them. Moreover the participants have sued, pursuivanted, and imprisoned many of petitioners to their utter ruin. Petitioners pray to be restored to their rightful commons in the said fens, and to be repaired for the damages they have sustained, and that the offenders may be punished according to their demerits. Signed by Nehemiah Rawson, John Lyne, William Clay. [2 *sheets.*]

Dec. 11. 51. Summons by William Ellys, chairman of the Committee of Fens, requiring certain persons whose names are not given to appear on the 1st Feb. [1641], before the Committee of the House of Commons that is to take into consideration the petition of the inhabitants of East Holland, Sibsey, and other commoners in the east and west fens lying on the north side of the river Witham, in co. Lincoln, on that day. [*Endorsed:* "Received from Mr. Rawson Dec. 15, 1640." *Draft.* ½ *p.*]

Dec. 11. 52. [Sir John Conyers] to Algernon Earl of Northumberland. I have to-day received yours of the 8th inst., and with it a list of moneys to come down for the troops, and order for disposing of them. The money will be welcome to the soldier and the country, but five weeks will be due to the troops before it can be here, for it is not expected till Tuesday at the soonest. Sir Foulke Huncks is not returned from Dikemarsh, but has sent back his lieutenant, Marrowe. I send you his letter, but Marrowe avouches the quarters in Dikemarsh, Marshland, and Isle of Axholme are far worse for horse than he expresses. The rivers he writes of are only passable by boat, three, four, or five horses at most in a boat, and in bad weather no boat can stir, he has passed three to-day. There are four or five towns at most, in each of which one troop may lodge, but in 10 others one troop cannot lodge, he says scarce a squadron; and the baggage of the troops must be left here, for he says 'tis almost impossible for horse alone to stir, so 'tis no good winter quarter for horse or foot. I shall once more attend your pleasure herein, and beseech you to consider if you are absolutely pleased we shall remove, whether it will not be better to march farther, and lodge wholly on the skirts of cos. Nottingham and Lincoln, and not in the Marshlands, except it be in Wakefield alone, where my troop and O'Neale's are. The officers of the troops persuade me the country had rather they stayed than otherwise, especially if money come to pay punctually. I have called for the names of all the Popish officers in the troops [of horse], those I have received I enclose, the rest shall follow as soon as possible if there are any more. I pray give me further order in what manner they shall be put off, they will expect at least an honest discharge, and say whether you intend the

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Quarter-masters and corporals to go with the rest. Mr. O'Neale's Quarter-master and all his corporals are Papists, and more than half his troop; please appoint officers, for in some troops but few will be left, so many being absent. I know but two Popish officers of horse at Berwick, Turberville, my lieutenant, and Simson, Sir William Brouncker's cornet, a kinsman of Sir John Fenwick's. I know no chief officers of foot that are Papists, but you will receive account of them from Sir Michael Ernle. Turberville married my niece, and his wife writes she finds him wholly inclined to our Church; but I leave it to you to judge him according to the information you receive from Sir Michael Ernle. If he be discharged let my cornet, Price, be my lieutenant there, and Parrott my cornet in the army, my cornet there, though I think the one will not far outlast the other. For our quarters again, a gentleman or two living about Wakefield have told me that towards Otley, Morley, and Barnsley my regiment may well be quartered without any prejudice to the country. [*Copy.* 3 *pp.*] *Enclosed,*

52. I. *List of the Popish officers of horse in the army, they number* 15. [1 *p.*]

[Dec. 12.] 53. List of Popish officers in the foot army of 16 regiments, about 60 in number. [2¾ *pp.*]

Dec. 12. Guildhall. 54. Printed Acts of the Lord Mayor and Common Council of London, containing regulations concerning the inquest for the ward of Walbrook and other wards, the choosing Common Councilmen to represent the ward, the watch, lighting, constables, new comers to the ward, precautions against fire, hucksters of ale and beer, foreigners, cleansing the streets, &c., &c.; Acts for the reformation of divers abuses in conducting the inquest for the ward; with the articles of the charge of the wardmote inquest, being a detailed account of the matters to be inquired into. [*London, printed in black letter by Robert Young, printer to the honourable city of London.* 6 *pp.*]

Dec. 12. Warrant of the Commissioners for Gunpowder to Montjoy Earl of Newport. To issue 12 barrels of gunpowder to Everard Boulton, of Tower-street, London, ammunitioner for furnishing of ships and supply of his shop. [*Minute. See vol. cclv., No.* 61, *p.* 14. 5 *lines.*]

Dec. 12. Covent Garden. 55. Sir William Uvedale, Treasurer-at-Wars, to Matthew Brodley, his deputy. I have received direction from the Lord General that it is his pleasure, notwithstanding the particular instructions under his hand for the proportion of the regiments and troops of horse, that it should all pass by the warrants of Sir Jacob Ashley and Sir John Conyers. The best way to rectify this will be, when you come to perfect a full month's pay for horse and foot, to require particular warrants for every regiment and troop; and that takes away all the former warrants by lendings. We shall despatch more money to you next week, with which you must perfect a full month's pay to

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the whole army; and there will be some over for lendings towards the next month. I know you are now in a difficult business to settle those payments in another account upon the Parliament, but that once done the business will fall easy enough, and you and I shall meet again shortly. P.S.—Colonel Lunsford has been with me divers times about 200*l.* which he left with his sergeant-major there, Hugh Powell, to distribute among his soldiers; I pray if you can inform yourself how the case stands or else direct Henn how to do it, who I think now has the payment of that regiment; that I may give him some answer. [2 *pp.*]

Dec. 12. Burdrop. 56. Sir William Calley to Richard Harvey. Do not pay Sir Edward Wardour the 208*l.* till you have Anne Bowdler's consent, and my bond up besides. For the 100*l.* which was payable by Mr. Lambert the 15th ult. and is now taken in, keep it by you with such interest of mine as you have remaining till you hear from me or my son; if I may have it by the end of Hilary term I think it will serve, and by that time I hope you will be able to change it into new gold to be sent me by Mr. Morse or Mr. Whippe. I am glad the Parliament goes on so hopefully and if the Bishop of Lincoln [Williams] should be backward in speaking to maintain anything that anciently belonged to the jurisdiction of bishops, he would be an enemy to himself, which no man willingly is. It seems somewhat strange Burton and Prynne should be ushered into London with so many horsemen and coaches, but it would seem more strange if after all this noise they should be served as Leighton was, their cases being not much unlike, and be sent back to the places whence they came. I have lately had a shrewd distemper as well as lameness. I like the napkins and tabling cloth, but the latter is 3 ells short of the 63 ells I wrote for. [*Seal with arms.* 1⅔ *p.*]

Dec. 13. Calais. 57. Sec. Windebank to his son, Thomas Windebank. I have stayed longer here than I expected, the Governor [M. le Conte de Charost] intimating to me with great civilty, the day after my arrival, that his instructions are not to suffer any stranger of quality to pass without giving notice to the State, and that he had accordingly sent an express to M. de Chavigny, and he desired me to have patience till his return. This morning the courier is returned with a letter from M. de Chavigny, not only commanding licence for my departure, but expressing great respect to my person, and giving order for my accommodation with anything this place can afford, so that tomorrow morning, God willing, I go hence by coach towards Paris. The civilities I have received from the Governor are very many and extraordinary, especially since the letter of M. de Chavigny, he having given me an entertainment to-day at dinner, and sent his coach to attend me wherever I would. I desire you to acquaint her Majesty [Queen Henrietta Maria] with it and to present her my most humble services and thanks, seeing it is merely in my relations to her I receive these honours; and withall to move her whether she will not make some demonstration of her gracious acceptance hereof to the Governor, in the way her princely wisdom thinks most fit. The only contentment

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I had of my stay here was the hope of receiving letters from you by the packet-boat this week, to which purpose I sent for the mail addressed to Paris and by the Governor's authority opened it but found nothing for me. Acquaint Mr. Burlamachi with it, and assure him I sealed up the mail again with my own seal in presence of the Governor and those that have charge of the letters, and they are all sent. For my own most unfortunate business in Parliament, I long to hear what effect my leaving England has produced, though I expect little good but to be kept from extremities. Concerning my domestic affairs, the chiefest I recommend to you is the care of your poor mother, on whose living and comfort depends mine. Next I must desire you to procure me a bill of credit, to which purpose Robin has written to Burlamachi, for I find my charge here will be high, and if his Majesty shall not relieve me I shall not be able by my own revenue to subsist. This I have represented to the Lord Treasurer [Juxon] and Lord Cottington, and desired them to order payment of the money due to me in the Exchequer which at Michaelmas last was 800*l.* You will do well too to solicit them for payment of the money for which I stand engaged to Mr. Ricaud for the King, and not to forget my board wages nor the money in the Earl of Newcastle's hands. The letters that go herewith you will deliver yourself with the remembrance of my humble services to those Lords to whom I have written to assist you as occasion presents. That to the Lord Chamberlain [Philip Earl of Pembroke] is more particular than the rest, and I have left it open that you may show it to his Majesty, and if he like it, deliver it, otherwise not. Asks for a trunk of linen and apparel to be sent by the packet-boat. The ship in which we should have passed was within 24 hours after we left it pillaged by the Dunkirkers, but rescued from them by the French and brought hither as lawful prize, so it was happy we forsook her and passed in a shallop; and though our passage were full of hazard yet we avoided a greater danger. [*Endorsed:* "My father, from Calais." 2⅔ *pp.*]

Dec. 14. Certificate of the Commissioners for Gunpowder. That they accept the proportion of gunpowder delivered by Mr. Cordewell, his Majesty's gunpowder-maker, for the year November 1639 to November 1640, the fourth year of his contract, though under the proportion required by his contract: Mr. Poole having certified that the saltpetre delivered to Mr. Cordewell in the year was not sufficient to enable him to make the 240 lasts of gunpowder as required by hi contract. [*Copy.* 1 *p.* *See vol. ccxcii., p.* 123.]

Dec. 14. Whitehall. The same to the Officers of the Ordnance, ordering them to reckon the 20 lasts of gunpowder Mr. Cordewell will this month bring into his Majesty's store as the proportion he is to furnish for last month, the first month of the fifth year of his contract; he not having supplied the proper quantity of gunpowder in the fourth year of his contract, because an insufficient quantity of saltpetre was given him. [*Copy.* 1 *p.* *See Ibid., p.* 124.

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Dec. 14. Calais. 58. Robert Reade to his cousin, Thomas Windebank. Relates their stay at Calais. When the express will return the Governor, M. le Conte de Charost, knows not certainly, but expects him hourly. If he come not soon Mr. Sec. [Windebank] purposes to desire Mr. Aubert to go to Paris, and acquaint the Earl of Leicester with our stay here, and desire his interposition for removing any difficulty there may be there. My uncle is very much dejected, still making account that he and his family are utterly ruined; I pray God send us some comfort from your parts, or we shall have a miserable time in these. If you could get the King, or Queen, or both, to write to him it would be a huge consolation to him. He has been very averse to go to Paris, giving the same reason against it as I urged for it, that he shall be frequented with company; he fearing that may add to, and I hoping it may take off from, his trouble. Besides, he acquainted the Governor on his arrival with his purpose to go to Paris, and we have taken letters of exchange hence thither, and now to go to any other place would raise a jealousy of him in this people, and you well know how apt they are to take umbrage. Neither can we in any other place in France receive our letters so well out of England, or return answers. Since we stay here so long I wish with all my heart Pharamond had come this way for I presume he brings letters which if he go any other way we shall not receive till we come to Paris. If he should not have left London before this comes to you give him order to come hither. It may probably be Mr. Treasurer [Vane] may make a difficulty of giving him a pass; in such case cause Pharamond to make one, and get the King's hand to it, for my uncle would fain have him with us, and I have great use for him. If he have the King's pass, he may mention in it how much money he brings with him, which I would wish him to do if he bring any; but if he bring bills of exchange only that will not be needful. Methinks if the King would avow Mr. Secretary gallantly, as in honour and justice he is obliged, an end would easily be put to our troubles; but if he avow him only in part, and make difficulty of the rest, we are lost. It is the same thing to the King to avow all or part, but to Mr. Secretary it is not, for if any one act of his in favour of the Roman [Catholic] party be disavowed he must suffer as much as if none were avowed. And it were good this were enforced on the King and Queen, and to such as you make use of in our business. Discusses fully their money matters. It is time to think of speaking to Mr. Warwick, for order to Mr. Willmer to pay the interest due for the money lent the King; but whether we are now to receive the interest due for the whole 3,000*l.*, or only for the 1,500*l.* I cannot tell, and therefore I have written a letter apart to you concerning this business, which you may show Mr. Warwick. My uncle has written to Lord Treasurer [Juxon] and Lord Cottington about the money due to him out of the Exchequer, 800*l.* for a whole year last Michaelmas. But, to tell the truth, no money can be demanded out of the Exchequer for intelligence since Aug. 4th last, at which time by contract between the King and the Lords concerning the post place

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the intelligence money was to cease; so there will be two months abated out of a year for the intelligence money, but the fee of 40*l.* per annum due on the patent goes on still, and must be paid out of the Exchequer. If you speak with Mr. Falconberg he will be very useful to you. But for these moneys the Lord Treasurer and Lord Cottington must be solicited by yourself, and Mr. Warwick's assistance must be desired. If the post business should run any hazard care must be taken that our money be returned us; about this it will be fit to advise with Mr. Treasurer [Vane], who is equally interested with Mr. Secretary [Windebank] in that business. If my uncle's place of secretary be not disposed of before Christmas, as I hope it will not, it is to be considered whether the New Year gifts to the King, and those to the Household, should not be paid. And in this my uncle desires you to advise with Mr. Treasurer [Vane], whether he thinks they should be paid, 10*l.* must be delivered to the Master of the Jewel-house on New-Year's morning in a little purse for the King; and for the rest to the Household, you will find an old note of them amongst the papers I took out of my pockets at my coming away, which note I received awhile since from one of Sir John Coke's servants. I have now written to Mr. Burlamachi for letters of credit for 1,000*l.* which must be paid by him out of the moneys due to us in the Post Office, as we shall receive them at Paris. Asks that clothes and linen may be sent to Paris for his uncle and himself, if Mr. Burlamachi will undertake to send a trunk. I have written to Mr. Porter to desire his good offices in my absence, for I know, inconsiderable as I am, I cannot escape the malice of the times; therefore cause it to be delivered him. We opened the bag of letters by the ordinary from England yesterday but found none for us, which makes me believe Pharamond is by this time come from London, and that we shall find him at Paris with letters. The letters that go herewith to the Queen and the Lords Mr. Secretary desires you to deliver all with your own hand, and to address yourself to them as they shall give you encouragement. [*Endorsed:* "My Cousin Reade from Calais." 6 *pp.*]

Dec. 14. Calais. 59. The same to the same. The letter mentioned above, containing instructions about the 3,000*l.* lent by Sec. Windebank to the King; and the money due to Sec. Windebank out of the Exchequer. [2 *pp.*]

Dec. 15. 60. Petition of Daniel Farvack and Isaac le Gay, merchants, of London, to the Council. According to your directions on the petition annexed Mr. Attorney General has considered the matter and certified his opinion on the back of the same petition. Petitioners therefore beseech you, as the Earl of Danby, Governor of Guernsey, is now in Oxfordshire, to appoint the Clerk of the Council, or some other now in town, to take such security as in the certificate is mentioned; and that that being entered petitioners may have your letters to the Bailiff and Jurats of Guernsey, and others whom it may concern, commanding them forthwith to deliver the goods in

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the annexed petition mentioned to such as petitioners shall appoint. *Underwritten,*

60. I. *Petitioners are to attend Sir Peter Osborne, Deputy Governor of Guernsey, who is prayed to take bond of them according to Mr. Attorney's certificate, and thereupon the Lords will write their letters as is desired. Edward Nicholas, Whitehall, 25 September* 1640. [1 *p.*] *Dorso,*

60. II. *Sir Peter Osborne to the Council. According to your order I have many days attended and done my best in this business, it being but very lately that any of the creditors appearing before me would agree to receive the security offered by petitioners; but Mr. Knolles still persisting in his exceptions, alleging the parties to be all associated in one course of trade, and pretending besides a greater debt than these goods can satisfy, I have not thought meet to take the security without your further directions; which being required to certify I leave to your consideration. December* 15, 1640. [½ *p.*]

Dec. 15. 61. Resolutions of the House of Commons, passed December 15 and 16, annuling the Canons and Benevolence passed by the late Synod, and denying the power of Convocation to make any Acts or Canons without consent of Parliament. [*Printed in the Commons' Journal II., pp.* 51, 52; *Lords' Journal iv., p.* 273; *and Rushworth iii.*, 1365. 1 *p.*]

Dec. 15. 62. Another copy of the same. [1 *p.*]

Dec. 15. 63. Order of the Lords Committees for Petitions. Whereas it was by this Committee ordered on December 8th that the Earl of Lincoln should have delivered to him the indenture of articles between the Earl of Lindsey and Sir William Killigrew and Mr. Long, and between him, the said Earl of Lindsey, and his participants, that copies might be taken on which the state of the cause for matters of law, as was alleged, would in some points rest: upon reading the petition of the said Earl [of Lincoln] it is this day ordered by the Lords Committees that if, on the exceptions to decrees of [the Commissioners of] Sewers in the points of law which are to be set down on the Earl of Lincoln's part by Tuesday night next, it shall appear to the judges that these matters in law cannot be fully cleared without view of any writings which the Earl of Lindsey or his participants have, but that part of the cause will depend on the same, then the counsel of the Earl of Lincoln shall have a view of the same. [1 *p.*]

Dec. 15. Gate-house in Westminster. 64. Certificate of John Brokcaes in the absence of [Aquila] Wykes, keeper of the Gate-house, that Cap. Brinckmere [Levine Brinckmary] stands committed by Mr. Secretary Windebank's warrant, and no other; neither is there any further charge against him. [⅓ *p.*]

Dec. 15. Covent Garden. 65. Sir William Uvedale, Treasurer-at-Wars, to Matthew Brodley. By a fit of the gout the use of my right hand is taken from me, so

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I must use the help of another. I approve well of the course you have taken with the reformadoes, for you have saved much money by it. I shall despatch the bills of exchange which have enabled you to do this as fast as I can, I hope next week, and if hereafter you have occasion to use credit in this kind, I shall make it good here till I send you word to the contrary; and if you will draw a letter of credit to that purpose and send it me I will sign it and return it you. The Scotch reformadoes I believe are with you ere this, for they went from me with a list from the Earl of Northumberland last Thursday. I confess I am of your opinion that the best way to pay the army would have been to have paid it out till December 8 with the money now with you; but my letters sent by your brother will, I think, satisfy you; for the Parliament undertaking the payment from November 10, not knowing any lending that was disposed in the army, if we had proceeded by way of payment, I must have discovered it. The case is plainly thus: that from November 10 the Parliament must pay all, and if there be any of the King's money employed on the army since then you must gather it back out of such money as from time to time comes to you from the Parliament, and it must serve to pay certain arrears of the army before November 10th; and when I understand from you what proportion of money it is, I shall then give you order to dispose of it. If you can handsomely provide for this take what course you please in payment of the army and the train of artillery. As for the field officers and the Lord General's train, they were admitted [omitted?] on purpose, because when the next money comes down, which I hope will be on the way this week, or the beginning of next at the farthest, there was an intention to pay them out with the rest of the army. P.S.—Since the writing this Sir John Hotham has been with me; he desires to pay in 1,300*l.* at York, which I have consented to, so if he deliver it in to you on your bill of exchange I will pay it him and will stay so much here out of the next money that is to come to you on purpose to satisfy it. [*Seal with crest.* 1½ *p.*]

Dec. 15. Brussels. 66. George Shaw to Richard Harvey. Has just received his letter of November 2, saying Mr. Lanyon has paid the 50*l.*, and deferred paying the share of the profits till he receives his pay. Requests Harvey, if his occasions call him into the country, to ask Lanyon for the profits, which, for the reasons he states, he is sure will amount to another 50*l.* [1 *p.*]

Dec. 16. 67. Resolutions of the House of Commons passed December 16, condemning the late Canons as containing money matters contrary to the King's prerogative, to the fundamental laws and statutes of the realm, to the right of Parliaments, to the property and liberty of the subjects, and matters tending to sedition, and of dangerous consequence. [*See above, No.* 61. *Printed in Commons' Journals, ii.*, 51. ¾ *p.*]

Dec. 16. 68. Names of the members of the House of Commons forming the Committee to prepare the several votes concerning the new Canons

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for presentation to the Lords; to consider who were the principal promoters and actors in them, and especially how far the Archbishop of Canterbury was an actor in them, and in the great design to subvert the laws and religion of the realm; and to prepare a charge against him and others. [*Printed in the Commons' Journals ii., p.* 52. 1 *p.*] *Underwritten,*

68. I. *Ordered that the Committee for the* [*Arch*]*bishop of Canterbury do meet on Monday next in the Treasury Chamber. Saturday,* 15 *May,* 1641. [4 *lines.*]

68. II. *This Committee adjourned to Thursday, May* 20. 17 *May* 1641. *Dorso,*

68. III. *This* [*Committee*] *is adjourned till Monday next in the Treasury Chamber.* 10 *June* 1641. [2 *lines.*]

Dec. 16. York. 69. Sir John Conyers to [Captain John Mennes]. I told you of 20,000*l.* that was to come down for relief of the northern counties, and payment of the Scotch army, it has now come to Ripon, but it will be Saturday before our money comes thither. You are with all convenient speed to command two troops of the Commissary's regiment to march with you to Ripon, there to receive the money, and bring it safe to Croft Bridge, where you shall deliver it to the Commissioners appointed by the Lords to receive it, or to the Scottish officers, according to their order; and that there may be no mistake I send you the copy of the clause in the Earl of Northumberland's letter which concerns the convoy of that money; as also a copy of the Lords Commissioners' letter to certain gentlemen in the north whom I believe you will either find at Ripon or meet on the way to Croft Bridge. I send you also an order to the officers of Sir Thomas and Sir Charles Lucas' troops to meet you, and attend you to Croft Bridge. When you have no more use for them return them to their quarters; meantime send a trumpeter or two to carry this order to them, and appoint them where to meet you. I do not appoint what two companies of your regiment shall march with you because you know best how they lodge, and those that lie nearest the way and Ripon are in my opinion fittest for this service, but I leave it to your discretion. P.S.—I think you will do well to order the troops of Richmond to meet you at Catterick Bridge. [1⅔ *p.*] *Subjoined,*

69. I. *Copy of the above-mentioned clause of the Earl of Northumberland's letter ordering the safe convoy of the* 20,000*l. for the Scots.* [½ *p.*] *Enclosed,*

69. II. *The above-mentioned order to the officers of Sir Thomas and Sir Charles Lucas' troops to meet Captain John Mennes, and attend his commands in his Majesty's service.* [*Copy.* ½ *p.*]

Dec. 16. 70. Certificate of Christian van Vianen, his Majesty's servant, undertaking that Levine Brinckmary, a high German, prisoner in the Gate-house, shall leave this kingdom within 14 days after the date hereof; that being the condition on which the Council set him at liberty. [½ *p.*]

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Dec. 17. 71. Petition of John Bastwick, doctor of physic, late close prisoner in Scilly, to the Commons. Petitioner about six years since set out a book in Latin called "Elenchus Religionis Papisticæ," with an addition called "Flagellum Pontificis et Episcoporum Latialium," being provoked to it by Richard Short, a Papist, who maintained the Pope's supremacy, the mass, and Papal religion; in which book petitioner, to prevent all misinterpretation of his pious intentions, in his epistle to the reader fully declared that he meant nothing against such bishops as acknowledged their authority from kings; yet, because the better to overthrow the Papal usurpation over Christian princes he maintained, by way of argument, as other orthodox writers on the subject have usually done, a parity of the Bishop of Rome with other bishops and Presbyters by the Word of God, denying his or their supremacy over other ministers to be by Divine institution; thereupon a pursuivant from the High Commission Court came into his house at Colchester in his absence, and, assisted by the bailiffs and constables of Colchester, ransacked his house and trunks, with great violence broke open his study, and carried away some of his books and writings without restoring them; petitioner was then prosecuted in the High Commission principally for his said book, and after a long and expensive prosecution, on the 12 Feb. 1634, he was fined 1,000*l.*, excommunicated, debarred the practice of physic, his chief livelihood, his book ordered to be burnt, and he to pay costs of suit, and be imprisoned until he should recant, all which was only for the said book, in which he maintained the prerogative of kings against the Papacy. Lately Thomas Chouney, of Sussex, wrote a book maintaining the papal religion, and the Church of Rome, and averring it to be a true church, which book is dedicated to the Archbishop of Canterbury, and patronised and defended by him, and Chouney not troubled for it; and after the above censure all the bishops then present denied openly that they held their jurisdiction from his Majesty, and affirmed that they had it from God only, and the Archbishop of Canterbury, amongst other erroneous sayings, maintained Chouney's book, and that the Church of Rome was a true church, and erred not in fundamentals, and he and other bishops defamed Scripture and abused Calvin. Wherefore, and to vindicate his innocency in the matters for which he had been most unjustly censured, petitioner published another book in Latin, "Apologeticus ad presules Anglicanos," expressing the true proceedings and speeches at his censure; for which book, and his book "The Litany," not then in print, an information was exhibited against him and others in the Star Chamber, petitioner's answer to which being only subscribed by himself, because he could get no counsel to sign it, he tendered first at the Star Chamber Office, then in open court at the Star Chamber bar, but the Court of Star Chamber would not accept it for want of counsel's hand to it, contrary to precedents, but took the information *pro confesso*, censured petitioner in 5,000*l.* fine, to stand in the pillory, lose both his ears, and be close prisoner in Launceston Castle, Cornwall; all which has been executed on him to the peril of his life. After all which, petitioner, by what order he

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knows not, it being no part of his censure, was transported from the said Castle to Scilly Island, where he has been in close durance above three years, and none of his friends suffered to come to him, his very wife being prohibited by the Council's order under pain of imprisonment from setting foot on that island; so petitioner has been exiled from his wife and children besides the great misery he endured, all which is contrary to the law of God and man, and the liberty of a free subject, and to the utter undoing of petitioner and his family. He prays you to take into your consideration these pressing grievances, to afford him relief consonant to justice and equity, and to assign him for counsel Mr. Sergeant Atkins, Mr. Ludlow, Mr. Tomlins, Mr. Gurdon, and Mr. Randol, to assist him in this his complaint; and to order that he may take out gratis such copies of the censures, orders, &c. in the several courts as shall anyways concern this his sad, yet most just complaint, with warrant to bring in his witnesses. [*Endorsed:* "Received and referred to a Select Committee Dec. 17, 1640." *Printed in Rushworth iv., pp.* 79–81. 1 *sheet.*]

Dec. 18. 72. Balance of his Majesty's ordinary receipts and expenditure made by a medium of five years, viz., 1635, to 1640; total receipts, 618,379*l.*; payments, 636,536*l.*; excess of expenditure over revenue, 18,157*l.* [1 *sheet.*]

Dec. 18. Stockholm. 73. Lieutenant-General James King to Sec. Vane. Protests his joy in having so gracious a King and master, and so faithful a patron [as Sec. Vane]. I wish I had received his Majesty's command by your letter before I left Hamburrie [Hamburg], as I could then have given speedier obedience to his command than I can here, where I arrived yesterday. Nevertheless, I will use all possible diligence to obey his Majesty's commands; meanwhile excuse my absence to his Majesty and show him he is partly the cause thereof, for on his gracious licence I intended this journey as I wrote to you before departing from Hamburg. In particular I wrote to you on Oct. 24 enclosing one for his Majesty giving him humble notice of my journey to Sweden; I hope they have come safe to your hands. Asks to be informed on his return to Hamburg what the King designs him to do. [*Seal with arms and crest.* 2½ *pp.*]

Dec. 18. York. 74. Sir John Conyers to [Edward Viscount Conway]. This other part [*see the subjoined*] is my letter now sent to his Excellency [the Lord General], so that you having seen that you know all I am able to inform you from hence. I send you also a copy of the defects of arms. I can think of no way to mount, arm, and complete the troops except for the King to disburse the money at first and defalk it from the captains as before or in some greater quantity; and they again from their troops. I can think of no way to defend the Tees but to fortify upon it, especially where it is fordable; and if it be so all through a good line must be run with redoubts on it to flank one another. The war must be made with one army here and another to enter Scotland at Leith; if not there, about Holy Island and Berwick, and Heymouth, a little place not far beyond

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Berwick, if the [Scots] possess it not themselves as spoken of; and awhile since it was said they had brought cannon thither. I saw a day or two since a letter from—[the name is in cipher]; he writes that three troops of a regiment shall be cashiered, and it shall go hard but he will have the naming of those that shall stand of my regiment. I beseech you take notice of it; he is no fool, and therefore must needs be a knave. I received yours of the 15th inst. with the enclosed which I do not well understand. [1 *p.*] *Subjoined,*

74. 1. *The same to Algernon Earl of Northumberland. I have received yours of the* 15*th inst. Captain Mynce* [*Mennes*] *has marched to-day towards Ripon to convoy the money to Croft-bridge according to your order; he has with him near* 140 *horse of that regiment and I have given order to Sir Thomas and Sir Charles Lucas' troops to meet him, march with him to the bridge, and then return to their quarters. Next Monday my regiment is to muster, and on Wednesday the Guards and Mr. Wilmott's, and on Thursday they shall remove their quarters. Describes the new quarters they are to take up. This shall all be done as well as may be, but money is so scarce I fear we shall not leave those quarters without disorders. When Capt. Mennes received my order to march with two troops to convoy the money he came to me to tell me it could not be done without money to discharge the quarters; for a whole troop leaving their lodging without payment they would think all was lost and without doubt some mischance would fall out. So I caused him to command* 25 *men out of each troop, and we had a day's work here to borrow* 100*l. to feed those men on the way; for all the paymasters had not a groat in the world. Now Mr. Brodley writes that 'tis impossible for him to furnish money according to the orders you signed and sent down. I have replied that those that remove must have a month's pay whatever becomes of the rest. What he will do I know not, but I am sure without it you will hear of it, for the troopers and the country are impatient for want of money; and on Tuesday next there is six weeks due to the army. I beseech you take order that a supply may be sent, for without it here is no living. The army is insolent enough and so is the country far more than ever they have been, and they have reasons. We shall be glad to give way to them because no complaints shall come up, and I desire nothing more than to keep order and do right to all men, but without payment no justice can be done. I beseech your order what is to be done in matter of life and death, for I should be loath to be hung for hanging a villain. If we pursue malefactors, commit them and do not punish them, it is better for example's sake not to meddle with them. Mr. Percy's cornet informed me since my last to you that his Captain Triest is a Protestant, and he has*

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since professed the same to me, but says he has not made show of it by reason of his uncle, the Bishop of Ghent, from whom he expects a good fortune. I shall attend your order about him. It were good Major Trafford's troop were disposed of with the first if you mean it not to him, for he says if he leave it it will undoubtedly disband; and in regard of the garrison it were good there were a captain. Captain Armstrong will be with you before this comes to you. [1¾ *p.*]

Dec. 18. 75. Note of the charge of extraordinary works done at the Tower of London according to several estimates and special warrants in the months of September, October, November, and December, 1640. Total, 1,405*l.*, whereof is paid 656*l.*; left unpaid 749*l.* [½ *p.*]

Dec. [19.] 76. The opening paragraph of Harbottle Grimston's speech in Parliament on a further debate touching the Archbishop of Canterbury. There has been presented to the House a most faithful report of the conference we had with the Lords yesterday [Dec. 18], with the opinion of the Committees that they conceived it fit that the Archbishop of Canterbury should be sequestered. I must second the motion and shall be bold to offer my reasons for conceiving it necessary we should proceed a little further than the desire of bare sequestration only. Mr. Speaker, long introductions are not suitable to weighty businesses. We are now fallen upon the great man the Archbishop of Canterbury. [*This extract is dated Dec.* 10, 1640, *but the speech was not delivered till the* 19*th. See Commons' Journals. Printed in full in Rushworth iv., p.* 122; *and in Cooke's "Speeches in Parliament," pp.* 179–181. 1¼ *p.*]

Dec. 19. 77. Certificate by Edward Fenn that 317*l.* 2*s.* 6*d.* ship-money has been received since the last certificate of November 27. [¼ *p.*]

Dec. 19. 78. Certificate by Thomas White, Edward Hasell, and James Harbin, that on 19th of December 1640, Thomas Lynn, cardmaker, affirmed the proceedings in the contract with Mr. Squibb were with consent of the Cardmakers' Company, and the offer of 3*d.* on a pair to the King and ½*d.* to the sealer was made by them and consented to on all hands; and the contractors were to have 28*s.* a gross from the King; at several meetings of the Company at the Temple, Broad-street, and elsewhere, it was always agreed the King should have 3*d.* a pair, and they [should be] sold for 6*d.*; that the Company always insisted much on an allowance for their poor out of the King's profit yearly; and that Edward Fryer petitioned for 300*l.* he had disbursed about the charter to be paid out of the King's profit. The contractors consented to a less number than they usually made before, having a better price for them, they conceiving that fewer cards would be used than formerly because the price was to be raised to 6*d.* a pair, and that Mr. Lynn and others were all together at Broad-street and heard Mr. Squibb's contract read to them before it was engrossed at Mr. Attorney's. [1 *p.*] *Underwritten,*

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78. I. *Thomas Ghostley, cardmaker, affirms that what Mr. Lynn has here alleged is all very true, of which he is ready to make oath.* [3 *lines.*]

Dec. 19. 79. Certificate by William Ryley, Bluemantle, of the death of William Lord Maynard, Baron Maynard of Estaines [ad Turrim] under date. He died in Finsbury-fields, London, and is buried in the parish church of Estaines, Essex. Deceased married: 1st, Frances, daughter of [William] Cavendish Earl of Devon, by whom he had one daughter, who died young; 2nd, Anne, daughter and heir of Sir Anthony Everard, by whom he had one son, William, now Lord Maynard, and five daughters, all still young. The certificate is attested by Charles Maynard, brother of the deceased. [1 *p.*]

Dec. 19. Norfolk. 80. Note of petition of Mary Osborn, widow, for respite to return the office after the death of Nicholas Osborn, her late husband, and to compound for the wardship of her son till next term; alleging she wants evidence to prove the tenure, &c. *Underwritten,*

80. I. *Let petitioner return the office and attend with a schedule, &c. the sixth sitting in Hilary term next. Francis Cottington.* 21 *December* 1640. [½ *p.*]

Dec. 19. Burdrop. 81. Sir William Calley to Richard Harvey. Has received the household stores. Sir Edward Wardour is more ready to receive the 208*l.* than I am to pay it without Anne Bowdler's consent in writing; and I desire you to hold constant your former resolution touching that matter. I am glad to hear the Parliament goes on; I hope it will produce general good to this kingdom every way. It seems Bastwick is as much in the eye of a great many as ever Burton and Prynne were or he would not have been ushered into London so. Go to my cousin Parry's, a gent. in London, or some one else, and get me a writ of "Latitat" out of King's Bench against Thomas and John Goffe, of Catcombe, in the parish of Hilmerton; the "Justicies" was for 200*l.* which yet I have not executed. Wishes to appoint his own bailiffs. [*Seal with arms.* 1 *p.*]

Dec. 20. Locking. 82. Humphry Hawkins to the same. Prays him to give this [brawn] to Mr. Porter with his humble service. Is now so ill he knows not whether he shall be able ever to see brawn more. [*Seal with device.* 1 *p.*]

Dec. 21. Whitehall. Warrant of Henry Earl of Holland to [Sir Robert Bennett], surveyor and comptroller of the works at Windsor. I am informed that the pale and rails betwixt the course and open walk in Sir Matthew Lyster's charge in the Great Park at Windsor is in great decay, so as neither the course can be kept several for the male deer which is their only relief, nor can the deer be brought to their standings. You are to view the defects and to certify me the charge of reparation, the quantity of timber, and in what part of the

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woods the timber may be best spared. [*Copy*=1 *p. See vol. cccIxxxiv., p.* 106.]

Dec. 21. 83. Account of 2,310 bags of pepper bought by Francis Lord Cottington for the King, from the East India Company, and sold again by the King at a loss of 6,581*l.* 0*s.* 10*d.* *Underwritten,*

83. I. *Order by Lord Treasurer Juxon for Mr. Auditor Bingley to cast this up and certify if it be "rightly cast or how he finds it.* 21 *Dec.* 1640."

83. II. *Certificate by George B*[*ingley*] *that he finds the same rightly cast up in each particular.* 26 *December* 1640. [1 *p.*]

Dec. 22. Covent Garden. 84. Sir William Uvedale, Treasurer-at-wars, to Matthew Brodley, his deputy. Has received his letters of the 14th, 16th, and 18th inst. For altering the course the Earl of Northumberland has set down by an order and paying the army full three weeks, to the 1st of this month, both officer and soldier, I think you have done very well, for I suppose by this time the officer is in as great want as the soldier. The surplus money advanced to the soldier by way of lendings over and above the bills of exchange which I paid out of the last 30,000*l.*, and which by your paper is a considerable sum, and only known to you and me, must be taken off again by degrees when we receive more plenty of money; which we shall not do till we can get in some subsidies; and then it must be applied to pay some arrears of the army before November 10. The King has already asked me twice for his 5,000*l.* lent out of his privy purse, but I have given him no hope of it, for out of the Parliament money it cannot come. You have done very well to give seven weeks' pay to the English reformadoes; three weeks of it must come out of those moneys, for the Parliament will allow of it no further than from November 10; and yet I would not but that you had done it for now we are rid of them. You must expect the money you have drawn upon me by bills of exchange, since the last I sent, must be paid out of the money now to be sent for the army, for I am not able otherwise to do it, and in good faith I am not confident whether I should persuade you to continue that course of taking up by bills of exchange or no, for though the Parliament be sure yet it is slow, and those bills may be here upon my hands. I have been too ill to leave my room for more than a fortnight, but hope to be abroad in a few days. The latter part of your letter troubles me wherein you not only persuade me to quit this employment but resolve if I should continue it to desert me in it. Truly, Brodley, I have not deserved to be so left for I have rather used you as my friend than as my deputy; and by some letters of mine since we parted you may find it was my desire we might ever live together as friends whensoever this business is at an end, which cannot now be long. Whatsoever hazard I run in it you shall receive no blame, I know you to be so perfectly honest. Do but your best endeavour, it is all that shall be required of you. We are both now engaged and how I should come off,

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though I study it, I know not well, nor do I know how you can, for the officers of the army have written to the Lord General in commendation of your care and sufficiency. Therefore, if your respect to me would not carry you on in this business even that would importune it. [4 *pp.*]

Dec. 23. 85. Order of the Grand Committee for Grievances, requiring Edward Nicholas, Clerk of the Council, to bring before them this day fortnight all orders and petitions remaining in his custody concerning the Vintners and Alderman Abel, and the Medium Merchants; for the Vintners are then to make good their petition. [*Endorsed by Nicholas:* "Received 4th Jany. 1640[–41], at 2 o'clock in the afternoon." ½ *p.*]

Dec. 23. 86. Information given by Mr. Edward Corbett to the Committee for the Universities, concerning recent innovations in government and religion in Merton College, Oxford. The innovations, which are all attributed to Archbishop Laud, are contained in five articles, and the proofs of the articles are given. The articles are: 1. In Easter week 1638 the Archbishop of Canterbury took on him the title of visitor of Merton Coll., Oxford, and began a visitation, without any right or authority. 2. He continued the visitation of Merton College almost three years, and prorogued it unto the fourth without any just cause, and to the great dishonour, and disprofit of that ancient foundation. 3. In the time of his visitation of Merton College he has oppressed many of the House. 4. In the time of his visitation he has broken many of the statutes of the House. 5. Sir John Lambe, the Archbishop's visitor, in 1638, gave the oath ex-officio to the warden, fellows, and scholars of Merton, and afterwards from his Grace, proposed 30 articles to be answered in writing by virtue of the oath, one of which inquired after those who did not bow towards the altar. 6. Sir John Lambe pressed the article of bowing on Mr. Corbett and Mr. Cheynell with threats, foul language, and suspension of Mr. Cheynell. [21 *pp.*]

Dec. 23. Ripon. 87. Sir Jacob Asteley to [Edward Viscount Conway]. Upon receipt of your letter I went to the paymaster, and he declares that Lieutenant-Colonel Howard is completely paid to such as have at times fetched money for the regiment. Hereupon I sent your letter to Sir Charles Vavasour by his own brother, the Colonel, and I doubt not Lieutenant-Colonel Howard is satisfied. If I may know otherwise in time I will stop as much money as is due to him from the regiment in the paymaster's hands. My lord I hope you in Parliament intend absolutely to make peace; yet from all parts it is said the Scots rather strengthen themselves, and 600 of their foot lately came to Darlington. For this army, God help us; the soldiers and officers are 23 days unpaid, and no news as yet of the coming of money. The country is weary of trusting our soldiers, and in some towns [the people] have been troublesome. I have so much to do to make things go right, and seek by all means to pacify the country and animate the people to trust, although the

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officers lend the men all they have. I will only end with this, which is strange to me, that being in a treaty our adversaries are vigilent and we careless, the best part I can act is to appease the discontents of the country that lies open to an enemy if they will be so to their spoil and ruin. If any will say that the train bands shall be able with our army to defend the country here is neither deputy-lieutenant, justice of peace, nor a wise constable to help us. [*Seal with arms broken.* 1 *p.*]

Dec. 23. 88. Note of the leases and rents of the houses in Bell-yard, London, viz., the Bell, the Mermaid, Golden Key, and Three Goats' Heads, demised by John Harborne to Abraham Musgrave by indenture dated 21 Dec. 1632, and subsequently conveyed to Mr. Poulson by leases herein specified. The annual income Poulson derives from them is 84*l.* [1 *p.*]

Dec. 24. Warrant of the Council of War to Thos. Falconberg. To issue to Capt. Henry Yonger, comptroller, and to Henry Bludder and Edward Dankeert, gents. of the Ordnance for the train of artillery for the south parts, one month's pay to be accompted from the 9th instant inclusive. [*Minute.* ⅓ *p. See vol. cccxcvi., p.* 351.]

Dec. 24. 89. Order of the House of Commons. That the English Lords Commissioners appointed to treat with the Scots shall receive 25,000*l.* from the city of London, and 5,000*l.* from Sir William Uvedale, for relief of the northern counties. [*Printed in Commons' Journal ii., p.* 58. ½ *p.*]

Dec. 24. Audleby. 90. Sir Foulk Hounckes to Edward Viscount Conway. This is humbly to entreat you to assist us with arms, and also for the money for recruiting our troops; they are in good order, except Captain Barry's troop, which lies near your regiment, and they are day and night upon the ways robbing. I know nothing the country can complain of us for; for my own particular, I will endeavour to deserve your good opinion and favour, desiring to serve you with all true faithfulness. [*Seal with arms and crest.* 1 *p.*]

[Dec. 25.] Note of venison brought to Whitehall for Christmas 1640, for the consumption of his Majesty's household, and issued by [the Earl of Holland's] warrant out of the several forests, chases, and parks as here specified, total 104 does and five hinds. [*Copy.* 1¼ *p. See vol. cccIxxxiv., p.* 105.]

Dec. 26. Burdrop. 91. Sir William Calley to Richard Harvey. Finds the linen cloth is only half an ell short of the quantity he wrote for. Though my money be changed into new gold, I do not expect it to be sent sooner than after Hilary term next by Mr. Morse or Mr. Whippe; and could I find as safe a messenger as one of them, to have it here by the end of March would serve well enough. Present our service to your master and mistress [Mr. and Mrs. Endymion Porter]. I am not out of hope that I may live to look out of doors again, though peradventure not on a sudden. [*Seal with arms.* 1 *p.*]

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Dec. 28. 92. Bill of Oliver Wolfe for medicine supplied to Endymion Porter, amounting to 2*l.* 17*s.* 2*d.* Receipted July 17. [1 *p.*]

Dec. 29. 93. Petition of William Jones, the oppressed printer, to the House of Commons. Petitioner has been a printer 54 years, nine years whereof he served his apprenticeship, and a master printer's place falling vacant he was chosen to fill it by a decree in the Court of Star Chamber in the 28th year of Queen Elizabeth; in all which time he has refused to print all heretical or schismatical books, scandalous pamphlets, Popish books, or ballads, or anything tending to poison youth, or otherwise to the dishonour of God. By the means of the Archbishop of Canterbury he has been deprived of his calling these three years and four months, whereby himself, his aged wife and six small grand children, who were maintained by him, are in a miserable condition and had perished before this had not God moved the hearts of charitable people to commiserate his condition. Petitioner beseeches you to restore him to his trade. [½ *p.*] *Subjoined,*

93. I. *William Jones' petition to the Committee of Trade. Read December* 29, 1640.

93. II. *This petition is referred to the Committee appointed to consider the charge against Archbishop Laud. Feb.* 23, 1640[–41].

Dec. 29. 94. Sir William Uvedale, Treasurer-at-Wars, to Matthew Brodley. I have received yours of December 25, by which I find how you have distributed the last money sent you, and that you have completed three weeks pay to the army except the field officers, which I approve of very well. Now 16,000*l.* more is sent down, these bills of exchange and other payments here and that 1,300*l.* of Sir John Hotham's excepted. This money will not be with you till Saturday week, and I will leave to you, who are upon the place, whether you will dispose of it by way of lendings from December 1, or will pay out the month till December 8, which I fear much it will hardly do. The army being thus far behind I know you have a very troublesome part of it; I can only give you this comfort, that the Parliament has given four subsidies for relief of the northern counties and payment of the army, which must be paid in with all speed possible; meantime it will give us credit here to borrow more money, and so I hope I shall be able to despatch more money to you very shortly. This payment will be sure, but the army must have patience for some time. Last week I forbad all the under-pay-masters to meddle any more with bills of exchange. To you I have sent a commission, such a one as I could frame of myself, if it be not sufficient send me a draft next week and I will return it signed; and will make good anything you shall do in that kind. I know the place you now perform under me is very troublesome, but be not discouraged, and use that word "*si pereo pereo*" no more, for if I have honesty or honour in me you shall not suffer blame or the loss of one hair in this business; and at the end of the work you shall not think your pains ill bestowed. I sent yours to Captain Conningesby by Sanckford, who has brought me back answer from

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him that at this time he has no money and that the King owes him much, he hopes to get in some of it shortly and then he will come and speak with me about it. P.S.—I am much troubled here sometimes whether to direct my letters to York or Ripon; when you write if you can tell me how to direct them, it will ease me much. [4 *pp.*] *Enclosed,*

94. I. *Note of money paid here by bills of exchange and otherwise out of the* 16,000*l. now sent down to Ripon, also of other like sums remaining to be paid. I lent Capt. Porter* 10*l. and sent you his bill for it; pray do not forget to take it up for me.* [4 *pp.*]

Dec. 30. 95. His Majesty's final answer concerning incendiaries accepted by the Scottish Commissioners, 30 December 1640. Besides his Majesty's former answers he has commanded us to declare in his name that he will not employ any person or persons in office or place that shall be judged incapable by sentence of Parliament, nor will make use of their service without consent of Parliament, nor grant them access to his person that they may interrupt or disturb that firm peace which he now so much desires, being confident that they will proceed in a fair and just way, according to their several professions, with that respect to his Majesty's honour which in reason he may expect from good and dutiful subjects. [*Damaged by damp.* ½ *p.*]

Dec. 30. 96. Certificate by Sir John Strangwaies that Sir Christopher Yelverton, burgess for Bossiney, Cornwall, was to-day sworn before him. [¼ *p.*]

Dec. 30. "In haste, late at night." 97. Sir Henry Vane to Edward Nicholas. I shall be in town about a week [hence], in the meantime, if you will take my poor advice, reject not your first way but keep it on lest it cross that which I should like better, engage not yourself that way but take heed you turn them not against you, for I find such as go that way will not stand with the greater number, yet is their help good in the dark. When I see you I believe I shall be able to say more, which shall be ever like a true friend and with my best judgment. [*Seal with arms.* 1 *p.*]

Dec. 30. Covent Garden. 98. Sir William Uvedale to Matthew Brodley. Till one week more be past forbear returning much money on me by bills of exchange, for by that time I shall be able to send you word when we shall receive more money and then I shall be ready for it. I would gladly keep your word and mine with all men, and that only makes me give you notice of this. [*Seal with crest broken.* 1 *p.*]

Dec. 30. Lincoln's Inn Fields. 99. Felix Longe to Richard Harvey. Mr. Guydott is very willing to pay in the 100*l.* to Sir William Cawley and Sir John Evelyn, of Everley, Wilts., and Tanfield Vachell, of Reading, Berks., will be bound for it. If you like this send me Guydott's bond by the bearer, and word when I may come to see you there, or rather when we shall see you here. [1 *p.*]

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Dec. 31. Whitehall. 100. The Council to all Mayors, Sheriffs, Justices of Peace, &c. Whereas Captain Thomas Rudd, principal engineer for his Majesty's fortifications, is by special command to take present order for the repair of his Majesty's fort called Archcliff Bulwark, near Dover. These shall be to require you to aid and assist him in causing to be impressed in and about London and elsewhere such masons and other workmen as he shall think needful for repair of the said fort: taking care that such wages be paid them as is usual in like cases. And in all things tending to advance this service you are to assist Captain Rudd and his deputy as need shall require. [*Draft.* 1 *p.*]

Dec. 31. 101. Report of the Committee of Privileges, concerning the right of Peers of this realm to answer upon honour only; with the amendments to be entered as an order of this House. [*Printed in the Lords' Journal iv., p.* 120. 1⅔ *p.*]

Dec. 31. 102. Miles Corbett to Sir John Lambe. Communicates an order of the Committee of the House of Commons for considering the true causes of the great scarcity of preaching ministers throughout the whole kingdom, requiring Sir John Lambe to appear before them in the Court of Wards at Westminster on January 12 next by 2 o'clock in the afternoon, to answer such matters as are and shall be objected against him in a petition of the parishioners of St. Martin's Orgar, London. [½ *p.*]

Dec. 31. 103. Certificate by the Treasurers of the Navy of ship-money paid in upon the writs issued in November 1639; total, 41,856*l.* 15*s.* 1*d.*; remaining to be paid, 168,543*l.* 4*s.* 11*d.* [1 *sheet.*]

[Dec. 31 ?] 104. Paper headed "to the King." It begins, "The King is abused, the law is wrested, it slays the innocent, it acquits the guilty; 'tis like a spider's web, it catches the small, the great ones break through." The writer after commenting on the maladministration of justice, which will shake the monarchy to its foundations, says he loves the King so much he would have revealed an intended plot which he expects will take effect next summer, but he is sworn to secrecy; and to prevent the malice of Judge Jones, he has to day poisoned himself at the Bar of the King's Bench. A corrupter judge the kingdom has not, all manner of villany he will let pass if only he be sufficiently bribed. [1¼ *p.*] *Dorso,*

104. I. *Roche a priest that lives in Dublin, and a bishop called Barnwell, would commend him to Tyron in Flanders and he should be an actor in the design that should free the Papists in Ireland. We may take Dublin by an onslaught as easily as kiss a man's hand. The kingdom is so secure and the soldiers so base it is easy to take the kingdom, &c.*

104. II. *This letter was found among Windebank's papers and was written three years since as is supposed.* 1648 *Dec.* 7.

[Dec.] 105. Information by John White and others concerning the feoffees for impropriations and their suppression, referred from the

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1640. Grand Committee for Religion to the Committee concerning Preaching Ministers. [*See Commons' Journals ii.*, 61.] Dr. Jonge and others, feoffees entrusted with money for buying impropriations and with other money, and lands for maintenance of preaching, did accordingly buy divers impropriations and lands, and settled learned and painful preachers in divers parishes, and were likely in a short time to do much good in propogating religion. By the means of William Archbishop of Canterbury a bill was exhibited in the Exchequer Chamber against the said feoffees, and a decree thereupon, Feb. 11, 8 Car., made, whereby and by subsequent orders the things bought by them and given to them were taken from them, the good work wholly destroyed, and most of the good uses perverted, and thereby general discouragement drawn on all men from giving to such pious uses. That the Archbishop procured this work to be crushed, and bragged that he was the man that had set himself against it, and thanked God that he hath effected it, is proved by John White, John Sedgeswick, clerk; Willm. Kendall, at the sign of the Rose in Brad-street; John Lane and John Tooly, of Allhallows, Bread-street, London. [*Dorso:* 'Dr. Heylin's Act Sermon." ⅔ *p.*]

[Dec. ?] 106. Note of grievances that spring from the absoluteness of the Chancellor, and their remedies [probably submitted to the Committee for Courts of Justice]. 1. In decreeing matters either upon petition or references to the Masters of the Chancery, without hearing the cause himself; or else upon collateral matter grown upon motion, and neither contained in bill nor answer. 2. In appointing the plantiff or defendant to show cause by a day peremptorily limited, why an order prayed by the adverse party should not be entered; and then refusing to hear his counsel that day, whereby for want of showing cause the order is entered to his prejudice. 3. In committing offenders against his orders to close prison as in case of treason, and fining them till they conform, contrary to law and the practice of that Court. 4. In awarding possession by injunction as if the recovery were at common law. 5. In deciding titles of law in the Chancery upon English bills, calling one or two judges to assist him. 6. By staying execution of justice upon bare surmise or information of one part without hearing the other party. For remedy of these grievances it is desired to be enacted as follows: 1. That no cause be heard and ordered by him but upon bill and answer, and nothing decreed which is not expressly in the bill. 2. That in all orders wherein a day is peremptorily fixed, the same orders may be heard that day in course, and no other cause till that be ended. 3. That no further execution be used of any order in Chancery, but by imprisoning the party that disobeyeth them and that in such sort only as is used in case of execution at common law, and in no straiter manner. 4. That all bills containing matter of law be referred to the common law. 5. That no reference be made to any Master of the Chancery, but in matter of account for auditing it only, or for insufficiency of

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an answer or interrogatory. 6. That no course of common law be stayed without calling the party that sues to have it. [1 *p.*]

Dec. 107. Accounts of Matthew Brodley, deputy treasurer-at-wars, and John Leech of payments to the army from and after November 10, 1640. [6½ *pp.*]

Dec. 108. Account of pensions paid to several cardmakers, and dicemakers from Michaelmas 1637 to December 1640, amounting to 1,191*l.* 16*s.* 6*d.* [2 *pp.*]

Dec. 109. Extracts out of the Records specifying the sums paid by order for pious uses, especially for repair of St. Paul's, from 1630 to 1640. [8½ *pp.*]

Dec. 110. Inventory of the books and papers of Dudley Carleton, Viscount Dorchester, deceased, received from Sir Henry Vane, and which not having been any part of his Majesty's papers, nor at all incident to the place of Secretary of State, they were by the said Viscount on his death bed given to his nephew, Sir Dudley Carleton, from whom they were detained, with many others of like nature, by Sir Francis Windebank while he was Secretary, by whose children and servants since his absenting himself they were delivered to Sec. Vane. In all 38 manuscripts, &c. [4 *pp.*]

Dec. 111. Bond of Lawrence Squibb to Robert Fryer, cardmaker, of London, in 100*l.*, to abide by the decision of George Tuke and John Thacker, indifferently chosen arbitrators to decide all matters between Squibb and Fryer; or of any umpire the said arbitrators shall appoint. [*Dorso:* "Received 1,514*l.* 1*s.* 8*d.*, remains 5*l.* 7*s.* 4*d.*" *Copy.* ½ *p.*]

[Dec.] 112. List of orders and debts wanting [for sums of money issued under the Great and Privy Seals]. The names of the people to whom the moneys were owing and the sums issued are given, commencing 16th Oct. 1639. [1⅓ *p.*]

[Dec. ?] 113. Political lampoon, in verse, beginning—

"The State lay sick, very sick, and in all haste,
"The doctors were sent for," &c.

It describes how nothing could cure her but a Parliament. It ends—

"The rest must dance when the Deputy [Strafford] leads,
"A fast, a Parliament, and fourteen heads."

[*Damaged by mice.* 3½ *pp.*]

[Dec.] 114. Note of the names of the poor people in Longparish amongst whom Edward Nicholas' 5*l.* was distributed. [⅔ *p.*]

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1. Legal argument showing that the kings of England have by right a seigniory royal which, as it is derived from God, cannot be circumscribed, but in every commonwealth becomes limited within certain bounds and so settled. In England it is absolute in the king who governs by the rule of the common law. The statute "De prerogativa regis," notwithstanding there was always reserved to the Crown a power to restrain or to allow the means to decide all matters which were controvertible according to the rule of the common law and for this toleration before the statute of Magna Charta the subject always gave to the king an oblation which at this day is called a fine. These oblations were given for two benefits to the subject, the one pro terris liberandis, and are still paid for liveries, &c., and the other, pro habendo breve regis de, &c., and no original writ was then purchased until the plaintiff had made his oblation. But at this day some part of those oblations now called fines, pro habendo breve regis, are detained from the Crown to the value of about 5,000*l.* a year; and yet they are as certainly due to his Majesty and as truly paid by the subject as any part of his revenue. Since the beginning of his Majesty's reign a course is layed and now in practice whereby some part of these oblations withdrawn are restored again to the Crown and in possession. It resteth now in his Majesty's pleasure to require the residue which will amount to the sum aforesaid, or to suffer the same still to be purloined by the officers. That this ought of course to be answered to his Majesty I will show you all the Records from King John's time till this day to warrant it, and the practice of the law at this time to pay it. [*Endorsed:* "The Kings of England have a seigniory: the consequences of it." 1½ *p.*]

2. Charge of various government departments, including the Royal Household, showing the annual estimate and arrearage due to each officer in the Ordnance, armoury, castles and forts, surgeons, stables, revels, musicians, huntsmen, falconers, parks, wardrobe, Office of Works, clerks of Parliament, &c., also Fees and Annuities assigned by tally. Total, 20,748*l.* 15*s.* 5*d.* [*Imperfect.* 19½ *pp.*]

3. A particular of the establishment of the Queen's Majesty's Household, chamber, and stables, upon the assignment of 20,000*l.* per annum payable monthly by the farmers of customs; showing the sums allowed for diet, wages, incidental expenses as washing, removals, &c., establishment and keep of 96 horses and 33 hackneys, fees and liveries to the Household officers, huntsmen, musicians, and plate allowed yearly, with pensions granted by her Majesty. [11¼ *pp.*]

4. Mem. of money allowed in pensions to the Queen's servants according to the last book, 2,955*l.* 3*s.* 4*d.*; in rewards, 2,903*l.* 6*s.* 8*d.* [¼ *p.*]

5. M. Le Feure to the King. Has received his Majesty's orders to prepare the gentlemen pensioners so as to be of service in the

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present emergency. Since his Majesty's return from Spain he has served as one of them in extraordinary at his own expense, ready to expose his life in this service, and begs his Majesty to give orders to his pensioners to repair to him with their horses for instruction in military exercises. Will keep the company in a state of efficiency, as he did, in France and elsewhere, the Scotch company of Lord Gordon. Begs his Majesty to order what sum each shall give him a year. He will accept that until it please his Majesty to give him an ordinary appointment. [*Endorsed :* "La Feur." *French.* 1 *p.*]

6. Cornelius Holland, paymaster for the Royal children, to Sir Henry Vane, Treasurer of the Household. It has pleased God to visit the town of Richmond with the plague in two houses near to the pond at the entrance into the town, two died this forenoon full of the tokens out of one house and two more out of another house this afternoon, since Dr. Chambers was with the King, and another child now lies full of the tokens ready to depart, and in a third house, a woman lies sick whom we fear is infected from those other houses, and indeed we suspect all this to have happened from the barber's man of the tent who died in one of these houses about Tuesday was sen-night. There is a gentleman usher sent to the Queen to advise her Majesty of this accident according to his Majesty's directions therein by Dr. Chambers. If it be his Majesty's pleasure we should remove, if it may be, let us remove to some of his Majesty's houses already stored with provisions of beer, &c. And we have so many women and their children now retainers to the house, that if we do remove, without especial warrant and directions for parting [with] unneccessary company, we may carry the danger with us. I would have waited on your Honour myself, but I am enforced to stay, through God's blessing, to help the prevention of a further spreading of this infection by shutting up and restraining all dangerous places, and so desire your Honour's excuse. P.S.—I have sent this bearer, a cart-taker, that if it be his Majesty's pleasure we should presently remove he may have order from you for warning of carts. [1 *p.*]

7. Portions of speeches apparently delivered in the Commons concerning the Benevolence imposed on the clergy by the late Synod; the High Commission Court: and the licensing of books. The Bishops imposed the Benevolence illegally, and illegally deprived of their livings those who refused to pay. If the Benevolence itself be illegal thus imposed how can the Bishops possibly make a law to compel men to do illegal acts or to punish them if they refuse? With regard to the High Commission, the Judges in it are Bishops and Churchmen; but where do they get such power since Christ gave no temporal power to His Apostles? The speaker proves from the writings of Chrysostom, Hilary, Origen, and Bishop [Thos.] Bilson, that the Bishops have not, and never had, power to command any man to take the goods or touch the bodies of Christians or infidels. With regard to the licensing of books, the Bishops have procured

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[1640 ?] a decree in Star Chamber that no books shall be licensed but what they please, nor any books transported from beyond seas but such as they please to admit; which will be a good means for them to introduce what religion they please. [2½ *pp.*]

8. Intents of the House of Commons. 1. Whatsoever is declared by the two Houses binds the Star Chamber, the Lords of the Council, and all other courts of justice. 2. That the King hath not power to lay any imposition upon foreign, much less upon home-bred commodities, though with consent of the merchants, without consent of Parliament. 3. That the clergy, though by the King's consent and with his confirmation, can make no constitutions or canons to bind the clergy, much less the laity, without consent of Parliament. Ex consequenti the King alone cannot do it without such consent. 4. That of right we ought to have Parliaments once or twice a year. 5. That dissolving of Parliaments suddenly without redressing the grievances complained of is a great grievance. [*Underwritten are the following notes*: "These two last are declined to be mentioned in the conference intended with the Lords; but the King [is] to be petitioned touching them, by way of petition of right as I conceive. If upon a conference with the Lords, which is desired by the House of Commons, touching their grievances in matter of religion, property of goods, and privilege of Parliament, it shall be declared by the vote of the Lords that these are grievances; of what consequence it may be is considerable. As likewise it is considerable that the intent of the conference desired is, not to give a supply, but the better to prepare them to give an answer to his Majesty touching supply."] [*Endorsed by Archbishop Laud*: "Intents of the Lower House." 1 *p.*]

9. Petition of Sir Henry Bruce, gentleman of the Privy Chamber, to the King. Petitioner being a suitor for a grant of such spent entails or other concealed lands as he should find out in divers shires, you were pleased to signify your intention by the Attorney General, that if petitioner would nominate any particulars of the premises you would grant them. Now forasmuch as he is credibly informed that the manors of Chadlington and Pudlicott with their appurtenances together with the lands of Clifton, Charlbury, Ascott, and Sheriff Ashton, in co. Oxford, are lands of that nature, he prays a grant of them for 32 years, doubling to your Majesty the rent now paid. [½ *p.*]

10. Petition of Edward Brooke, gentleman pensioner in ordinary to the King. Petitioner being seized of the office of sergeant of your Majesty's hart hounds (which office had been in his family for many years under your Royal father and his predecessors) was necessitated in the beginning of these troublous times to part with the same. The person who had that office being lately dead, petitioner begs the grant of the same by letters patent for his life. [½ *p.*]

11. Petition of Margaret Shaw, late wife and executrix of Christopher Shaw, the younger, servant and embroiderer to late Queen

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Anne, to the King. Petitioner amongst other creditors, petitioned for payment of their debts and thereupon obtained divers references, the last whereof was directed to the Lord Treasurer [Juxon]; but notwithstanding many requests made to his Lordship for payment, no satisfaction can as yet be obtained without your Majesty's Privy Seal be gotten. Petitioner's deceased husband was much in debt when he died, and left her a widow with three small children and she depending upon former payments has ever since put off her husband's creditors, but they finding no real performances from her now threaten to arrest and trouble her for the same, which will be the utter ruin of herself and children; forasmuch as 439*l.* 12*s.* 0*d.* has been made manifest to be justly due to petitioner by the certificate of the Auditors of the Imprest, and of the Solicitor and Attorney General to the Lord Treasurer, who has admitted the account as true; prays your Majesty will be pleased to grant a Privy Seal, whereby she may be better enabled to receive her said debt. [1 *p.*]

12. Petition of Robert Dormer, son and heir of Sir Robert Dormer, of Dorton, Bucks., Knt., to the King. Sir John Dormer, petitioner's grandfather, obtained from King James, in the first year of his reign, a patent of the farm of the three hundreds of Ashenden and Cotslow, Bucks., during the lives of Sir Robert Dormer, his two sons, John and Michael, rendering for the same the yearly rent of 28*l.* 16*s.* 10*d.* and a fine of 5*l.* as by letters patent ready to be produced shall appear. As the rent is worth as much or more than the farm a clause is put into the patent that if any person shall offer more for the same Sir John Dormer was to give as much. Now, for that the said Sir John Dormer, Sir Robert Dormer, John and Michael Dormer are dead, and that your petitioner's ancestors, by reason of their estates thereabouts, have for a long time holden the said farm of your Majesty's ancestors. May it please you to grant that the patent may be renewed to petitioner and refer the same for that end to whom you shall think fit. [1 *p.*]

13. Petition of Edward Diconson, one of the purveyors of his Majesty's poultry, to the Council. Petitioner has lately received a Privy Seal from the King for the loan of 10*l.* for the county of Southampton. Represents that he is indebted to divers and that the King owes him 2,000*l.*, which in truth, every man being satisfied, is his whole estate and hope of provision for five young children; besides he is still enforced to serve his Majesty and foreign ambassadors upon his own purse and credit. May it, therefore, please your Lordships to take petitioner into consideration, for that neither the Lord Lieutenant, nor deputy-lieutenant, take notice how accounts stand between his Majesty and petitioner, nor of the necessity of the present time, for his Majesty's service; and excuse him of this unexpected charge, which he is altogether unprovided to supply. [½ *p.*]

14. Warrant. Whereas Lionel Batty has lately upon misinformation procured letters patent for the office of bowbearer and

[1640 ?] ranger of the forest of Sherwood to the great prejudice of John Deverell, who, as we understand, has faithfully executed the office of ranger for 26 years past; we do, therefore, hereby require you to take order that John Deverell shall hereafter during his life enjoy that office and all other offices and privileges which he has heretofore had in the forest in as ample manner as formerly, the said patent granted to Lionel Batty or anything therein contained to the contrary notwithstanding. And that you take order for the present that he be peaceably and quietly settled therein accordingly. [1 *p.*]

15. List of the Queen's parks, specifying in which county situated and the names of the keepers. [1 *p.*]

15ª. Pleadings of John Colborne, plaintiff, and Thomas and Grace Colborne and others, defendants, concerning the manor of Corsham, Wilts. The plaintiff exhibits his bill into the Queen's Court to be relieved for a messuage and certain copyhold lands which he claims to belong to him as cousin and heir to Isaac Colborne, an infant, deceased, who shortly before he died surrendered the same to the defendants, it being claimed by the latter that in that manor an infant has a customary right to surrender. [2 *pp.*]

16. Reasons for ascertaining the fines of copyholders of inheritance which are now arbitrable in her Majesty's jointure. The business is considerable, first in point of profit, secondly in point of honour and dependence of the tenants on the Crown, and thirdly in point of conveniency as to the matter of profit. [2 *pp.*]

17. Notes by Sir John Lambe for ascertaining the valuation of the Queen's jointure lands near Staines, Middlesex, and Houghton Regis, Beds. [2 *pp.*]

18. The like of terriers of lands in co. Bucks. not come in. [1 *p.*]

19. Petition of the copyholders of the Queen's manor of Barrow-upon-Humber, co. Lincoln, to Sir John Lambe, chancellor to the Queen. Whereas by reason of the violence and rage of the main river of Humber the late Queen Elizabeth did allow unto her copyhold tenants of Barrow 200*l.*, and then granted that for ever after they should renew their surrenders of their copyhold lands fine free, with this proviso, that they should at their own charges maintain the jetties, piers, and waterworks against the rage of the said river, which they have ever since done though the river often doeth suddenly 100*l.* or 200*l.* damage, and last Michaelmas made a great breach in the Oxmarsh and Ings jetty that will cost 260*l.* to repair, besides the raising of the banks, to neglect which would be to the prejudice of her Majesty's manor, and is necessitated by the sea having of late years broken down so much land at the entrance that it has at least 2 miles broader passage than formerly, while timber for repairing it is grown to double price and not to be had within 60 miles. And whereas her Majesty's stewards of the manor of Barrow are lately prohibited to grant such accus-

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tomed surrenders whereby the copyholders have been put to the charge of petitioning her Council divers times for the same. It was ordered the last term at the Board of Denmark House that one or two of them should repair on behalf of the rest to lay open their griefs. Petitioners pray they may have their copies surrendered as formerly. [2 *pp.*]

20. Notes by the Commissioners for Improvement of Waste Lands. The wastes of his Majesty's forest of Knaresborough, co. York, contain 30,000 acres, but divers of the bordering lords having manors adjoining challenge some parts of those wastes to be theirs. Mr. Connock and the other Commissioners let to Mrs. Thornborough, wife to the Bishop of Bristol, a parcel of ground called Swindon, containing 815 acres 3 rods and 2 perches for 6*s.* per acre, but by some slight of hers she passed her grant for 2*s.* 6*d.* the acre. This Swindon is the best ground that his Majesty has to let in those parts and is certified on the survey of Sir Wm. Fleetwood to be well wooded with oaks, &c. of great value. Whereas there was nothing intended to be let to her except Swindon, she has notwithstanding inserted into her grant divers parcels of other men's land, some by name, wasting and cutting down woods there to the great molestation of the inhabitants and loss of the owners. The copyholders and others have taken in fee-farm 1,997 acres at a yearly rent of 255*l.* 9*s.* 10*d.* Divers strangers have treated with the Commissioners to buy 3,268 acres at a yearly rent of 309*l.*, but some of us Commissioners conceive that there is no reason why his Majesty should deal so cheap with them as with the people there born and inhabiting. There is only one of these strangers, Sir Edward York, aged and poor, who has bargained for some small quantity of the said wastes, and who, no doubt, his Majesty will favour because he has been faithful and valiant and has carried honourable offices in the wars both by land and sea. Every copyholder in the manor of Knaresborough has many acres more than is contained in his copy, which necessarily must be encroached upon the King's wastes; these if his Majesty grant to the occupiers will raise him a good rent or a very good composition. Divers things should be propounded to his Majesty, wherein his pleasure must be known before the execution of the next commission, and to that purpose Sir Thomas Fairfax and Mr. Richard Connock, and others, will attend his Majesty or any by whom he shall be pleased to signify his pleasure. [$\frac{2}{3}$ *p.*]

21. Note of fee-farm rents in various manors, in several counties, offered by the Lord Paget [forming part of the Queen's jointure lands]; total rental, 506*l.* 16*s.* 3$\frac{3}{4}$*d.* [$\frac{1}{2}$ *p.*]

22. Petition of Sir Edward Savage, his Majesty's servant, to the King. Above 20 years since petitioner sold the manor of Edenstow, whereof Carburton was a member, in the forest of Sherwood, co. Nottingham, and reserved the right of felling the woods. That

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afterwards, amongst other lands, he conveyed the said woods to the Earl of Kingston, Gilbert Boone, sergeant-at-law, and John Rushworth, Esq., in trust for petitioner. Now as petitioner's trustees cannot without breach of the forest laws fell or dispose of the said woods without your Majesty's license, may it please you to grant the same. [⅔ *p.*]

23. Petition of William Bramhall, one of the fee-farmers of the manor of Congleton, co. Chester, to the Council. The tenants of Congleton petitioned the King in May 1630 against petitioner's purchase of the said manor, and obtained a reference to the then Lord Treasurer Weston, and Lord Newburgh, who having heard both parties Lord Newburgh made a report 23 March 1631[–2] clearing petitioner from all indirect dealings in the purchase. But the said tenants again petitioned the King in January 1634[–5] and obtained a reference to the Lord Treasurer that now is and Lord Cottington, but a hearing was prevented by petitioner's sickness and a second reference was made to your Lordships in Feb. 1637[–8] and after several hearings by you referred to the Attorney and Solicitor General and the Attorney of the Duchy of Lancaster, who by their report of 12th June 1639 likewise cleared petitioner. Yet the tenants still seek to take from petitioner his bargain. Therefore be pleased to grant him a dismission from any further attendance concerning this business and confirm Lord Newburgh's report before mentioned. [⅔ *p.*]

24. Notes for the improvement of Crown lands. The King's coppice woods on either side Trent out of lease are supposed to amount to 40,000 acres, for which he does not receive 500*l.* per annum, many being wasted or cancelled. If his Majesty will grant the same for 50 years, there are certain persons will pay for every acre they find out 2*s.* per annum. Total for 50,000 acres, 4,000*l.* per annum. [⅓ *p.*]

25. Warrant to John Barlow and Wm. Walter. Whereas there is a yearly arrear of rent continued in super upon the possessions of St. John of Jerusalem being parcel of the commandery of Slebech, in co. Pembroke, due to his Majesty. Having been informed by James Haughton, deputy to the Surveyor General of South Wales, that there is in the possession of John Barlow, of Slebech, or Wm. Walter a charter under the seal of the brothers of the said commandery expressing every particular parcel of land which belongs to the possessions aforesaid; and for that a discovery of the same cannot be made but by sight of the said charter; these are to require Barlow or Walter upon notice hereof to deliver the same into the hands of Wm. Hill, his Majesty's auditor of Wales. [½ *p.*]

26. Mem. specifying the rates charged by the Master and Worker of the Mint for coining gold and silver, and the diminished rates offered by his Majesty's officers with his Majesty's signature

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approving of the same. For their recompense in this service the memorialists pray an allowance of 2*d.* per lb. of silver and 6*d.* the lb. of gold, which will be no charge to your Majesty but a saving of charge out of the demands of the Master and Worker of the Mint. [1 *p.*]

27. Copy of the above. [1 *p.*]

28. Offer presented to the King by the Wardens, Comptroller, and Assaymaster, Commissioners for the making of money for the King's greater profit in the Mint. For the space of one year past the officers above named have by order of Council and authority of your commission made monies in the Mint according to an indenture made between his late Majesty [King James] and Sir Randall Crawfield, master and worker of his monies, which being now no longer fit to be maintained, they propose that whereas to the masters and workers was allowed for the making of every lb. of angel gold 6*s.*, and of crown gold 6*s.* 5*d.*, they will undertake the same for 4*s.* 7*d.* and 5*s.*, whereby your Majesty's profit shall be advanced 17*d.* on the lb. of each, but the allowance of 1*s.* 2*d.* for the lb. of silver they cannot undertake for less. *Dorso,*

28. I. *Our will is that the Treasurer and Chancellor of the Exchequer with the Attorney General shall consider of this offer, and if they approve thereof that they give order to the Attorney General to draw a book for signature and that the extra profits which may accrue be accounted for in the Exchequer.* [1⅓ *p.*]

29. Petition of Abel Tash, goldsmith, of London, to the King. Whereas it is enacted in the charter of the Company of Goldsmiths as ordained by Edward III. and confirmed by Act of Parliament that no gold or silver wrought in the gold smithery, nor plate of silver be sold again, but to be sold to the Royal Exchange [to be coined] or openly in the gold smithery, there to be defaced, and not to be sold as plate; yet huge quantities of old plate remain in the hands of goldsmiths which are daily resold for new and at new rates and prices to the hindrance of this kingdom in the increase of money, to the particular prejudice of your profit of coinage, and to the great deceit of your peers and liege people. If the above enactment were enforced 10,000*l.* per annum will come to your Majesty for coinage more than either you or your predecessors have had since the Royal Exchange ceased. [1 *p.*]

30. Petition of the same to the same. To the same effect as the above. [1 *p.*]

31. Petition of the same to the same. Undertakes to show (1. What are the causes this kingdom now so much wants money. (2.) What are the particular profits in exportation of heavy money and bullion. (3.) By what means 500,000*l.* of gold and silver bullion may be yearly imported over and above the daily means now used of importation, and without patent or monopoly; and (4.) By what

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means coins of gold and silver and bullion may be kept here. All which particulars may be effected by reforming the many and notorious abuses in coins, coinage, mint, weights, bullion, and goldsmithery. [½ *p.*]

32. Petition of the same to the same. Undertakes to show how 60,000*l.* may be brought into the Treasury by Allhallowtide next, by a means not contradicting nor infringing the laws of this kingdom, but agreeable to the law, without a Parliament. [⅓ *p.*]

33. Arguments to prove that [Thomas] Witherings, [postmaster for foreign service,] is responsible for all letters opened, miscarried, or delayed, because if they came to him from abroad opened he should have inquired into it; if not he must have opened them, unless he can prove that the foreign postmasters are responsible: also that he has neglected to despatch and seal in bundles letters arriving at the same date, and to take an inventory of them as is required by the Council; that he left the portmanteau open so that prohibited goods might be thus carried away, or any persons might abstract letters to make gain by their delivery. [3 *pp.*]

34. The King to Bishop Bridgeman, of Chester. The rectory of Croston, Lancashire, in your diocese, being void by the decease of the last incumbent and in the presentation of the Crown by reason of the outlawry of the patron this turn, we are pleased to present John Bartlett, M.A., to the same, whom we require you to admit. [*Latin. Parchment.* 7 *lines.*]

35. The King to Bishop [Pierce], of Bath and Wells. Whereas we having heretofore given charge to the Archbishop of Canterbury and all other bishops that they shall not let any of those leases belonging to their bishoprics upon lives, which are not in lives already, and upon all fair opportunity shall reduce leases for lives into 21 years. Since our said command you have petitioned us, that having but 4½ manors belonging to your see, the rest consisting of small copyholds and leaseholds, you might have leave to demise the smaller leaseholds for three lives, as has been the custom of your see. We having referred the same to the Archbishop of Canterbury and the Bishop of London, our Lord Treasurer, have been certified by them that the number of such small leaseholds of your see are between 300 and 400, and so a good part of the revenue of your see depends on opportunities of renewing such leases, which will be much impaired to you and your successors, if you shall be restrained from such demises of the premises. We, therefore, are pleased to permit you to demise the smaller leaseholds for three lives and so to continue the same as your predecessors have done, but do still straightly charge you to conform to our former order in all leases of manors, of demesnes of entire farms and of impropriations, which we require shall be demised only for 21 years. [*Draft.* 2 *pp.*]

36. Petition of Mary Dowager Countess of Westmoreland to the King. Your pleasure was signified by the late Lord Keeper unto the

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Bishop of Peterborough, that he should admit no clerk into the parsonage of King's Cliff, co. Northampton, but one presented by your Majesty; whereby petitioner upon the now incumbent's death will be suddenly put out of her inheritance without a hearing. Petitioner and her ancestors have presented to the parsonage by virtue of a grant from your progenitors about 80 years. Petitioner desires a reference to some of the Privy Council or counsel learned in the law to consider of the equity of her title, upon whose certificate your Majesty being rightly informed may do therein what shall seem to you most equitable. [$\frac{1}{3}$ *p.*]

37. Petition of Thomas Clayton, Ph.D., junior, to the King. The place of physic professor in the University of Oxford, now possessed by Thomas Clayton, doctor of physic, by letters patent of King James, was granted in reversion by your Majesty to John Speed, doctor of physic, who is lately dead. Petitioner begs the reversion of the place for himself after the determination of his father's interest therein. [$\frac{1}{2}$ *p.*]

38. Petition of Wm. Eaton to the King. Petitioner, born in Japan, one of the remotest parts of the East Indies, was by the charity of some well-disposed people brought over to England and since maintained in Trinity College, Cambridge, where he is now senior sophister. At the last election of scholars he was visited with extremity of sickness whereby he lost his turn and is thereby deprived of all hope of preferment in that college. Prays that he may be recommended for the next scholar's place. [$\frac{1}{2}$ *p.*]

39. Petition of Simon Hanson, B.A., and scholar of Jesus College, Cambridge, to the King. Petitioner having been student these seven years is precluded from standing for a fellowship shortly to be void, by reason that he is not of the country that may pretend thereto; begs your royal letters of dispensation in his behalf. [$\frac{1}{2}$ *p.*]

40. Petition of Thomas Margetts and Dinah, his wife, to Archbishop Laud. The said Thomas has lived at Bedford 37 years in good conversation as by the certificate annexed of the inhabitants there appeareth. Mark Gascoine, a sexton and parish clerk of St. Mary's, and John White, of Bedford, have falsely informed Mr. Giles Thorne, vicar of St. Mary's, that petitioners had said that Mr. Thorne maintained ill-vices or unlawful recreations as Whitsun-ales, may-poles and dancing, and had blamed him for long prayers and psalms; whereupon Mr. Thorne troubled petitioners in the commissary's court of this diocese and afterwards removed his suit into the Court of Arches, where it now depends. Forasmuch as Gascoine and White are men of evil life, as by the annexed articles against them appears, petitioners beseech you to call Mr. Thorne before you and put an end to this grievous vexation. [$\frac{3}{4}$ *p.*] *Annexed,*

40. I. *Certificate of John Whitaker, mayor, and other inhabitants of Bedford whose signatures are subjoined in favour of Thos. and Dinah Margetts.* [2 *pp.*]

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40. II. *Articles against Mark Gascoine and John White referred to in petition.* [1 *p.*]

41. Petition of Henry Cogan and Thomas Knyvett to Archbishop Laud. The King having granted petitioners a commission to prosecute the writ "De excommunicato capiendo" certified by the Attorney and the Solicitor General to be convenient to be granted, which unadvisedly petitioners proceeded in without informing your Grace, for which they crave pardon. Notwithstanding petitioners' undutiful behaviour you were pleased to extend your clemency so far as to direct Sir John Lambe to rectify what you conceived to be amiss in the said commission, who has conferred with divers judges and officers, and they have approved thereof as very beneficial, and a great dignity to the ecclesiastical courts. In regard Sir John Lambe has altered the commission with such limitations as you have appointed, petitioners' suit is that you would direct their present despatch, and give orders that a book may be prepared accordingly for his Majesty's signature. [1 *p.*]

42. Petition of Alice Norton, widow of John Norton, master printer, deceased, to Archbishop Laud. Her late husband died so far in debt that he left nothing to support petitioner, her mother and children, but the hopes to enjoy the trade to earn their living. Her misery is the greater by the death of her only kinsman of relief, Mr. Taylor, servant to the late Archbishop of York. The Stationers are so sensible of petitioner's distress that they have offered assistance for continuing their trade. Prays the Archbishop to admit her eldest son, Roger Norton, a master printer in his father's place. [¾ *p.*]

43. Petition of Timothy Tourneur, recorder of Shrewsbury, James Proud, and others, church-wardens of St. Mary's, Shrewsbury, on behalf of the parishioners, to Archbishop Laud, Lord Keeper Coventry, and Sir Francis Windebank. The advowson of the rectory of the parish church of St. Mary's was appropriate to the dean and canons of the college founded in the said church being the King's free chapel; and in 1 Ewd. VI. the same college was dissolved by the Statute of Chantries and the rectory given to the Crown, and afterwards the glebe, tithes, and offerings thereof were conveyed to laymen, being now worth 300*l.* per annum, and a curate was appointed to officiate in the said church with a stipend of 20*l.* per annum, in those times considerable, but never since augmented. But during the reign of his Majesty that now is a portion of the tithes of the value of 80*l.* per annum was by virtue of a decree in some of his Majesty's courts revested in the Crown and was since granted for a term of years to Thomas Lloyd, clerk, vicar of another parish in Shrewsbury. And of late your Lordships (by some direction from his Majesty to take order for the augmentation of the maintenance of vicars and curates where need required) directed the Bishop of Coventry and Lichfield, and others, to treat with the proprietors of tithes within the parishes of Shrewsbury for that purpose, and Mr. Lloyd submitted himself to your Grace's

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determination therein. Thereupon you held it fit that Mr. Lloyd should pay a fourth part of the clear yearly value of the said portion for augmentation of the curate's maintenance, but he refused to obey, affirming that he will make trial to avoid your Grace's determination. We, therefore, beseech your Lordships to compel Mr. Lloyd during his lease to pay the said fourth part to the now curate of St. Mary's, Doctor Betton, and to further us to obtain his Majesty's grace to settle in reversion, after Mr. Lloyd's estate ended, all or some convenient part of Mr. Lloyd's portion upon the curate of St. Mary's for the time being the tenths arising within that parish. [1 *p.*]

44. Petition of Daniel Clithero, vicar of Totternhoe, in the Archdeaconry of Bedford and diocese of Lincoln, to Archbishop Laud. Whereas the said vicarage in the time of St. Hugh, Bishop of Lincoln, was endowed in divers oblations, tithes, and emoluments issuing out of the rectory of Totternhoe, appropriated to the Priory of Dunstaple, which are much decayed, insomuch as petitioner is unable to maintain his calling by reason of the encroachments of the impropriator and diminution of petitioner's former income. May it please your Grace to give such order for the redressing and amending of that vicarage as to justice and equity may appertain. [½ *p.*]

45. Petition of Edward Steevens, clerk, to Archbishop Laud. In November last certain Westmoreland men informed petitioner of unseemly words spoken against your Grace by one Henry Fletcher, a man altogether unknown to petitioner, a reputed Puritan in Kendal, as appears by a certificate in Sir John Lambe's custody. Petitioner does not signify this to you out of any spleen or malice, the offender being unknown to him, but out of his obedience to you. [⅓ *p.*]

46. Petition of John Clarke, rector of Fiskerton, co. Lincoln, to Archbishop Laud. Petitioner, three years since, commenced a suit in the ecclesiastical court at Lincoln against Robert Hodgson, the occupier and farmer of 550 acres of ground, which the latter stopped and by a Prohibition removed to the Common Law, where trial being had at the last assizes in Lincoln, tithes were adjudged him [petitioner], by the jury, whereupon judgment being entered in the beginning of last term, a Consultation was sent down to the judge of the ecclesiastical court at Lincoln to proceed in the aforesaid suit, since which time Robert Hodgson is dead and the cause proceeded in so far that it is ready for sentence. Because the proceedings which have been had since Hodgson's death have been done in the presence of Edward Farmerie, his proctor, without calling the executors in respect *lis* was *contestata in causa* before Hodgson died. Edward Farmerie pretends it to be an injury done to him, and thereupon has appealed to the Court of Arches, and served an Inhibition, so that the cause will be put off. Prays that the hearing of this pretended grievance may be referred to any of your advocates, with order to call before them John Baker, Farmerie's

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proctor, and if you are satisfied that petitioner has justly done, then to proceed in Farmerie's presence without calling the executors, you will remit the cause, that so petitioner may obtain the right of his church. [¾ *p.*]

47. Petition of Thomas Sheaf, late of Cranbrook, Kent, to Archbishop Laud and others, Commissioners for Causes Ecclesiastical. Petitioner's wife, Mary, has been prevailed upon by her mother, Elizabeth Gibbon, of Westcliffe, Kent, to cease living, these 12 months past, with petitioner and to refuse him access to her at Westcliffe; and they detain his goods. Prays, that without further expense in suit, a day may be assigned for Mary and Elizabeth, her mother, to answer the premises and show cause why petitioner's wife refuses to live with him. [½ *p.*]

48. Petition of the same to Sir John Lambe, Dean of the Arches and one of the Commissioners for Causes Ecclesiastical. Archbishop Laud referred the above petition to you, whereupon you commanded a letter missive, to be drawn, and having first signed it yourself directed petitioner to attend some others of the Commissioners for their hands also; but whether through their ignorance of the cause or want of fees ready, the letter remained with the clerk that drew it without any further prosecution. Prays that another letter missive may be directed to Elizabeth Gibbon and her daughter, Mary, his wife, returnable the first sitting in next term, to answer the premises and to abide the order that shall be made herein by the Commissioners. [½ *p.*]

49. Petition of Frances Dallyn, of East Greenwich, Kent, to the Commissioners for Causes Ecclesiastical. Complains of the misconduct of her husband, James Dallyn, a Frenchman. Prays that attachment may be granted for his appearance in their Lordships' court. [1 *p.*]

50. Petition of Ferdinando Adam, shoemaker, of Ipswich, Suffolk, to Sir John Bramston, Lord Chief Justice of the King's Bench, and to the rest of the judges there. Petitioner being excommunicated by Henry Dade, LL.B., of Ipswich, has endeavoured to bring his appeal, but can find no proctor that will or dare exhibit and draw the same; likewise he has advised with his counsel about obtaining a Prohibition, but is informed that it is only obtained with great difficulty; at last he was forced to seek his remedy by an action in the Court of King's Bench, but Dade being bent on petitioner's ruin seeks to divert the cause, and vexes him moreover in the ecclesiastical courts. Prays that his cause may have speedy proceeding and that you would assign Messrs. Aske, Rolles, and Holborne for his counsel, and Edward Thornton to be his attorney, and if the law be on his side he desires relief; but if it shall be adjudged against him he hopes to be able to pay defendant's costs. [*Draft.* 2 *pp.*]

51. Petition of John Coles, church-warden of the parish of Chew, Somerset, to Sir John Lambe, Dean of the Arches. Whereas there hath been a suit depending in the Court of Arches these four years

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past between Chew and Dundry concerning the repairing of the mother church of Chew, wherein defendants, Hunt and others, have delayed the sentencing thereof by reason of not exhibiting an original instrument, whereby the inhabitants of Dundry are bound to repair their mother church of Chew. Hunt being ordered to produce the same, he gives out that he will not do so if he can shift it off. May it, therefore, please you, there being a true copy of the composition exhibited in the cause, to confirm the copy as authentic and to proceed to sentence therein. [½ *p.*]

52. Petition of Elizabeth Chomeley, wife of Ferdinando Chomeley, to Sir John Lambe. The cause of defamation depending before you, between petitioner as plaintiff and Wm. Birkett, defendant, is to be heard and sentenced on Friday next. Petitioner's husband being a poor old man, she is not able to satisfy the charges of the sentence in case it shall go for her until she have received the costs which shall be awarded her. Prays these charges may be forborne her until then. [⅓ *p.*]

53. Petition of the same to the same. Having been in suit 12 months, prays that her trial may not be deferred by the practices of defendant. [½ *p.*]

54. The like, having been in suit above two years, whereby her estate is much weakened, prays she may obtain more charges from defendant. [¾ *p.*]

55. The like having been long in suit with a cross and rich adversary who seeks to ruin her with long suit, prays a speedy proceeding. [½ *p.*]

56. The like. Petitioner being much wronged by defendant, William Birkett, who has been excommunicate three weeks, and formerly deferred petitioner's suit to her great loss, prays that he may not be absolved till petitioner be satisfied in regard she is not able to contend. [½ *p.*]

57. Petition of Margerie Rasley to the same. Ellen Wilson, wife of George Wilson, of Whitechapel, cohabited with Samuel Wilkins, another woman's husband, and upon some words between petitioner and the said Ellen she has served petitioner with process, from which petitioner prays to be discharged. [1 *p.*]

58. Petition of Daniel Stayno to Lord [Conway]. You formerly promoted a suit to the Lord Keeper in behalf of your poor and daily orator for a benefice, but petitioner has not received any actual satisfaction either from the former or the present Lord Keeper. He being informed that divers benefices will fall into his Majesty's gift as the incumbents are advanced to the sees of bishopricks now void; prays his Lordship to petition the King in his behalf for one of them. [¾ *p.*]

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59. Owen Stockton to [Thos. Windebank]. The Dean and Chapter of Chichester have in person petitioned his Majesty for the rights of that church which Wm. Hicks seeks to violate, will you signify to your honourable father that the Lord Steward has appeared in the cause and that upon the first audience the Master of Requests says his Majesty's pleasure will be fully known for the righting of the church to Mr. Bentsomer and others interested in that business. [½ *p.*]

60. Injunctions given by the King's most Excellent Majesty concerning Divine Service. That Divine Service shall be read and the Sacraments administered as appointed in the Book of Common Prayer and by the 13, 14, and 15 canons of the Synod begun in London 1603. 2. That the communion table shall be placed at the east end of the chancel close to the wall and shall be decently railed in with couches to kneel upon outside the rail and shall be raised three ascents or two at least higher than the floor of the said chancel. 3. All persons above the age of 16 shall receive the Sacrament of the Lord's Supper kneeling outside the rail before and towards the said table, and the priests being within the rail shall administer the same to the people without the rail. 4. All persons shall keep and resort to their own parish church or chapel and not wander or straggle abroad to other churches to hear Divine Service or to receive the Sacraments. [1 *p.*]

61. Notes collected out of ancient theological writers and synods commended to consideration as bearing on the question whether kneeling at the chancel rail to receive the communion, and cancelling in the communion table to separate the priest from the people, be not within the compass of ancient law. [*Latin.* ¾ *p.*]

62. Articles suggested for consideration relative to the eating of meat in Lent. Though it is forbidden by law to kill any flesh in Lent without license, yet by reason that no magistrate or other officer is authorized to grant licenses, many butchers do adventure the breach of the law herein. It would, therefore, benefit the King, the commonwealth, and the patentees, if his Majesty would give authority to some of his subjects to reform this abuse. [1 *p.*]

63. The Archbishop of Canterbury and his commissary are authorized to grant license to eat flesh in times prohibited, as appeareth by the statute 25 Hen. VIII. cap. 21. And the book of taxes subscribed 1 Eliz. by the Archbishop of Canterbury, Lord Keeper, Lord Treasurer, and the two Chief Justices. *Subjoined,*

63. I. *Scale of fees to be paid.* [*Latin.* ¾ *p.*]

64. Memorial of petitions [to be submitted to the King]. The Bishop of St. Asaph has composed in Welsh a treatise on the ten commandments. Prays the King to authorize its printing and command every church and chapel in Wales to furnish themselves with a copy. W. Cullum, an Irishman, obtained upon certificate of the Irish Commissioners here letters from the Council to the Lord

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Deputy and Council of Ireland, but he cannot have the benefit of them without an immediate warrant from the King with a non obstante to any former directions of prohibiting the hearing of any causes at the Council Board there, and solicits the same. Parishioners of Walpole, Norfolk. Their present minister is aged: pray that he may resign in favour of his son, a M.A. of seven years standing. Sir Robert Anstruther. The mastership of Hatfield Chase was given him in part dowry with his wife, with a promise that if it were dischased he should be considered, that ground is now dischased: prays a grant of part of it in fee-farm to him, with the reversion of the demesnes of the manor of Hatfield. Mr. [John] Morris, Hebrew professor in Oxford, has barely 40*l.* per annum. The stipends of four other professors have been augmented. Prays the same favour. The Lord Chamberlain. The King for the encouragement of plantations having usually granted ordnance and powder to furnish their preparations, his Lordship undertaking a plantation in the West Indies cannot furnish himself with a competent quantity and prays a warrant for 100 barrels. If the King shall not think fit at this time to bestow the same, security for payment shall be given. And that a warrant be directed to Mr. Evelyn to deliver so much. [1¼ *p.*]

64a. Another copy of the first half of the above memorial. [¾ *p.*]

65. Exposition of the government of the Collegiate Church of St. Peter, Westminster, *alias* Westminster Abbey. [*Endorsed by Sir John Lambe*: "Notes out of the Statutes of Westminster College." *Latin.* 5½ *pp.*]

66. Memorandum of books in the Bodleian Library, Oxford, the titles of which are: "Compendium Quaestionum de luce et lumine," Oxon, 1518, 8vo., Anon., printed by John Scolar, of the parish of St. John the Baptist; "De Materia et Forma et Relativis," by Bulei or Burley; "Tractatus super libros posteriores Aristoteli," 1517, 8vo., by the same. [*Endorsed by Archbishop Laud*: "Books printed at Oxford in 1517 and 1518, Cum privilegio Cancellarii." *Latin.* 1 *p.*]

67. Memorandum of particulars for Sir John Lambe to inquire of at the visitation [of the city of London], concerning the Company of Vintners who have built a house on the north side of the church of St. Foster's joining upon the church-wall to the annoyance of the church by darkening the light there. The names of such [ministers] as are suspected to be inconformable, who do not bow at the name of Jesus, nor wear the surplice, and administer the communion to such as sit or stand:—Wm. Carter, lecturer of St. Mary-le-Bow; Mr. Tennant, curate and lecturer of St. Mary Aldermary; Mr. Woolfall, curate and lecturer of St. Michael, Crooked-lane, and Mr. Hall, subcurate there; George Walker, parson of St. John the Evangelist; Nicholas Thorne, curate of the same; Mr. Roborough, curate and lecturer of St. Leonard, Eastcheap; John Cardell, curate and lecturer

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[1640?] of Allhallows, Lombard-street; Sampson Carrall, sub-curate of Allhallows, Bread-street. [*Endorsed by Sir John Lambe*: "Curates not very conformable within the Deanery of the Arches." 1¼ *p.*]

68. Notes by Sir John Lambe on ecclesiastical jurisdiction and persons prejudiced and abused in things [spiritual], especially by the common lawyers. Prohibitions [are issued] upon false pretence that the spiritual court will allow no *modus decimandi*, no exemption or privilege, no bargain or composition which the ecclesiastical courts do allow as well as the common law; nor will they allow this to be traversed in pleading though they know it to be false and traversable. In cases also originally and solely belonging to the spiritual courts, by their own confession as that they themselves at the common law cannot take cognizance of the cause, nor give remedy to the subject grieved; and so they can give the party no relief and yet forbid us. In bringing prohibitions which are original writs and ought to be only out of the Chancery and making them judicial writs and so granting them in the King's Bench or Common Pleas contrary to the law. Indicting and presenting men for doing such things as are warrantable by the ecclesiastical law and not against the meaning of the Common Law. Infringing the liberties of the Church. Usurping by actions; as misinterpreting of the statutes and not observing the meaning of them. Usurpation and encroachment by way of action, where they never used to have any, as in cases of matrimony. They will adjudge incest to be lawful matrimony as that I may marry my wife's sister, &c., which they will take upon themselves to judge not to be in the Levitical law forbidden. In case of alimony they will adjudge what is competent alimony. In case of heresy. The statute saith that nothing shall be held heresy unless against the express Scripture or the first four General Councils. They are judges and interpreters of the statutes and so must judge what is against the Word of God and the four first Councils. In cases of defamation they will judge what words are slanderous, and forbid the rest as petty business and words of course. They will bring an action for a seat in the church, supposing it to be their freehold. [3½ *pp.*]

69. Notes by Sir John Lambe of the brief against Boston men in the High Commission Court. Particulars of the charges against Edmund Jackson, mayor, Alderman Tilson, and four others, not standing at the Creed, not bowing, all the six received not kneeling. All frequenters of Conventicles. [¾ *p.*]

70. Notes by Lambe of a brief against [Archibald Adair], Bishop of Killala and Achonry, for speaking seditious words [for which he was afterwards fined 2,000*l.*, deprived and sentenced to imprisonment during pleasure by the High Commission Court]. It was informed against him; that in July 1639 he said that he would have signed the Covenant rather than forsake wife and children as John Corbett did. That he did not regard the Bishops in Scotland. I wish, said he, they had been all in Hell when they raised the troubles

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in Scotland. At his table in Killala he magnified Leslie, called him generalissimo, his camp "Pentagone," and said that he had 20,000 horse and 30,000 foot. That at his table he said he was a priest and therefore a bishop. It was peevishness of any man to think the Covenanters were not good subjects. In Aug. 1639 he said that Mr. Corbett was an impure corby (that is, a raven) and a Scottish dog and driven out of his country for adultery. [1 *p.*]

71. Notes by Lambe of points to be inquired into by the High Commission, as publishing false rumours, seditious books and libels; cursing and swearing; to inquire, apprehend, and imprison all Jesuits, obstinate and dangerous Recusants suspected to practice against the State, and all sectaries and such as force children beyond sea or give money for them or the seminaries, to search for seditious Popish books and libels or portraitures. Breach of Star Chamber orders in printing. Profaning the Sacraments, things or places consecrated, and digging up bodies in church or church-yard. [1 *p.*]

72. Notes by Lambe of those who have been officials of the Arches Court between 7 Edward I. and 31 Henry VI. [4½ *pp.*]

73. Note by Lambe of the fees paid in the metropolitic visitation of the Archbishop of Canterbury in the diocese of Lincoln to Mr. Sherman, registrar of the diocese of Lincoln. Total, 739*l.* 14*s.* 0*d.* [½ *p.*]

From my house in the confines of America.

74. Mr. Tarte to [Edward] Latham, official of Wolverhampton. Being delivered out of your cruel hands I write to warn you. I hear you have taken one of us, William Knight, and like a son of Bonner, or of the Devil, you seek the ruin of God's servants and feed yourself with the blood of his saints; but I rather take you to be one of the very limbs of the beast that did ascend out of the bottomless pit. And as a millstone that is cast into the sea, so shall be your destruction, and the elect of God shall rejoice at your downfall if you deliver not him whom you have cast into prison. For I would rather bow my body to the fire than receive your mark, which all do that yield in any case to you or your devilish laws. *Underwritten,*

74. I. *To his friend Mr. Latham, official of Wolverhampton, to be left with Mr. Diat, preacher, for the above-named in Wolverhampton, Staffordshire.*

74. II. *To be left at the Maidenhead, in Cateaton-street, for the above-named to be sent per the Staffordshire carrier.* [*Endorsed: "Tarte's letter. High Commission Court."* 1¼ *p.*]

75. Note of Mr. Fisher for Sir John Lambe concerning Mr. George Walker, of St. John the Evangelist, in the city of London. About four or five years ago, that is about the time that Bishop White [of Carlisle] published his book concerning the Sabbath, Mr. Walker preached against it, whereupon he was called

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before the Dean of the Arches and censured; but he continued to preach offensive matter and Michaelmas 1638 was called before the Council and imprisoned. His cure being vacant, Mr. Jonah Wilson, clerk, was, 15th Dec. 1638, licensed to officiate, but could get no recompense and obtained from Sir John Lambe a sequestration to collect the tithes, and that Mr. Wilson should have 40 marks per annum as long as he served the cure. But the parishioners refusing to pay, a suit was brought against John Strafton, George Pope, and four others for tithes, which they resisted by their proctors. At length they not appearing were excommunicated, but are now absolved by virtue of prohibitions which they brought. [*Endorsed by Lambe:* "Mr. Fisher's note of Mr. Walker, of St. John the Evangelist." 2 *pp.*]

76. Case submitted to Dr. Lambe concerning the rights of the vicarage of Doddington. There is possessed by the vicar-incumbent the house, backside, orchard, and a close adjoining, all which are reputed the right of Merton College, Oxford, and are worth more than 40*l.* per annum, and for 60 years the vicars have had these in lieu of the 40*l.* But the present vicar demands the 40*l.* and tithe-wood as well. Both parties have recourse to an ordination or composition [of Archbishop Hunt, here quoted], in which the words *aliis minutis decimis* are improperly conceived to include tithe-wood. The present incumbent is Mr. Ralph Crockford, who desires the case to be referred to Dr. Eden. Dr. Higgs is the man to whom the College of Merton has let the lease for three lives and Lord Brudenell has been some years tenant to the said rectory under the right of Dr. Higgs and entreats Sir John Lambe to join with Dr. Eden in settling all disputes between the rector and the vicar. [1½ *p.*]

77. Information of Mr. Wm. Dell's man that a woman named Thomsen Parsons has had a bastard at Greenwich, and that Mr. Henriques, a minister possessed of a very good living in Devonshire, has absented himself from his living without license and has been lodging at Westminster in Nicholas Wilkes' house, where the said Thomsen Parsons lives. [½ *p.*]

78. Inquiries to be made concerning the proceedings of Henry Dade as commissary to Robt. Peirson, D.D., Archdeacon of Suffolk. Get evidence of two or three wills proved within seven years before his time and what money paid also two or three administrations granted within that time, and two or three suits or causes of office, as punishing any for drunkenness, breaking holy days, or such like, with the bills of charges. Learn in four or five cases the church-wardens' names and what they paid for exhibiting their presentments; also when the late Bishop Corbet [of Norwich] visited and when Henry Dade visited what the church-wardens again paid him for exhibiting presentments. Get further particulars of forgery of excommunications if you can and then learn the names of the parties and when done. [1¼ *p.*]

79. Exceptions against the Canons made in the beginning of James I. reign, but endorsed by Archbishop Laud [thus showing that

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they were consulted by him on this occasion]. 1. Insistance on ceremonies, some being already obsolete as it were of purpose to displace and keep out such painstaking and godly ministers as make scruple of the ceremonies. 2. Some are calculated to cause a separation from our churches of so many as do not approve of all things in our discipline or ceremonies, excommunicating *ipso facto* such as affirm anything in the ecclesiastical government or ceremonies to be unlawful, or shall not receive the Sacrament kneeling and of their own curate, how bad soever; whereas it was allowed by statute that a man might receive the Sacrament of any lawful minister in the land. 3. Some diminish preaching, suppressing lecturers and sermons in market towns; allowing ignorant ministers to read homilies; tying ministers to read the whole service, omitting nothing for a sermon or other respects. 4. A minister cannot correct false doctrine without first obtaining his bishop's direction. 5. Some are injurious to the liberty of the subject, giving the minister power alone of choosing the church-wardens. 6. Some abridge the power of Parliament excommunicating those who affirm Convocation not to be the true Church of England by representation, &c.; forbidding any discussion of the Book of Common Prayer. 7. Whereas omission of ceremonies is severely censured, those canons which seem to tend to the furtherance of religion, as the preaching and residency of prebends, preaching of ministers every Sabbath, procurement of monthly sermons, &c., are set down without penalties. [2⅔ *pp.*]

80. Information of Mr. Ramsdell concerning the Puritanical doings at All Saints' Church, Northampton. Upon Ascension Day, at a lecture, Mr. Crawford preached against ceremonies; against bowing before the altar, as though He whom Heaven and earth cannot contain can be confined in a narrow room; against burning of candles, as though He wanted light who giveth light to the sun, moon, and stars. God regards not bodily worship for He is a spirit and we must worship Him in spirit. To the King we may do reverence because he is visible, but to do so to God invisible hath a show of idolatry. These and many other things he preached, or rather prated of, as confidently as though he had been in New England. At that sermon there were 800, and there are no fewer than 500 or 600 every lecture on Thursday, yet on Wednesday or Sunday seldom above five or six at prayers, but when sermon begins here is such flocking into the church, where they unreverently squat down in their seats and few or none kneel either at their own devotion or at common prayers, or stand up at the *Gloria Patri*, or bow at the blessed name of Jesus. Though the communion table is set altar-wise at the end of the chancel, and railed in, yet ordinary townsmen follow the priest within the rails with the consecrated bread and wine. The Bishop of Peterborough preached here a godly sermon and did so humbly adore before the altar as did those with him, Dr. Heath and Dr. Clarke, as to set an example to invite the beholders to do the like. But neither our vicar, Mr. Ball, nor his curate, Mr. Newton, do so; neither do they

[1640 ?] bow at the name of Jesus, and they administer to communicants sitting, and the Book of Recreations is never read. Mr. Rogers, the famous great preacher's son in Essex, never shows himself in church, being master of the free school, but when he can he shows himself a Nonconformist and administers without a surplice to communicants sitting. He said I should live more quietly if I would leave the town. The church-warden himself, Mr. Rushworth, affronted me and said I brought new customs into their church, which he neither found in the Canons' rubric, nor was enjoined by Act of Parliament, and did I know more. I am smiled at by the ministers and better sort, and laughed out of the church by the vulgar. A tradesman's maid bid me heed my nose in bowing, and a tradesman's son did run a stool against me foot foremost when I did obeisance. I am counted a Papist throughout the town. There cannot be a more scornful parish in England. [2 *pp.*] *Subjoined,*

80. 1. *Names of communicants who received sitting on the several Sundays specified.* [1 *p.*]

81. Petition of Robert Courtesse, John Fitzwilliams, and Matthew Reynoldson, in the behalf of themselves and others, to the King. Petitioners being Recusants, there is a writ come forth of the Exchequer to the Sheriffs of London seizing petitioners' goods, who are all poor tradesmen, having been always ready to compound, yet by reason of this contagious time the commissioners could not despatch them, so that now they stand in danger to be utterly undone. Pray that execution of the writ may be stayed. [*In margin:* "Execution of the writ against them to be staid." ⅓ *p.*]

82. Richard Mannington to Lord Herbert. Being persecuted as a Recusant and not having wherewithal to pay he is threatened with imprisonment. In respect his wife is cousin-german to his Lordship, prays his Lordship to befriend him and acquaint his Majesty with the case. He has but 40*l.* annuity, which is swallowed up by his liabilities. He served as a captain in Flanders and received special marks of favour under the Duke of Buckingham, some of whose promises he has to show. He pretends only to live and die quietly. [⅔ *p.*]

83. Warrant to the Lord Treasurer's Remembrancer in the Exchequer or his deputy to send on parchment a particular of the lands of Sir Cecil Trafford, Knt., a Recusant convict in the county of Lancaster. [*Endorsed:* "Warrant for a Recusant, 1640." ½ *p.*]

84. Wm. Bimen, of the College of Douai, to Nicholas Fenale, Jesuit at Congo. Congratulates him on his safe arrival in Italy, envies him the crosses, labours, and fatigues which he will have to encounter in his solitary journey, doubting not that the Divine presence will attend him. He may perhaps see Jacob Quelleri, one of his former band, who has consecrated himself to the Brazilian Fathers. The plague has remitted in Belgium this winter. Is a poor student in theology of the first year; but little must be

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expected from him. Fathers Paul and La Haye salute him. [*Latin.* 1 *p.*]

85. List in Robert Read's hand of Recusants bailed. Probably made out for Sir F. Windebank. [½ *p.*]

86. William Baker to the Lords [Commissioners of the High Commission]. According to your Lordships' order of the 15th October I have perused the accounts of Ralph Coke, who has in his hands the present sequestration of the profits of the estate of Dr. Scott, dean of York, first ordered 15th Feb. 1636, to be put into the hands of Bryan Willance. The estate has improved in value 200*l.* per annum more than is stated by Coke, and of this complainants are prepared to furnish legal proof. Dr. Scott prays that after the satisfaction of the debt of Bryan Willance the debts of Sir Francis Bodenham 800*l.*, and of Christopher Scott, his brother, 2,740*l.*, may be paid in like manner as is ordered by your Lordships for Bryan Willance. [3 *pp.*]

87. Petition of John Tayler, of Dartmouth, to Sir John Lambe, Dean of the Arches. There was lately a suit between petitioner and Joan Penny which was concluded by arbitration; notwithstanding which, Penny proceeded against petitioner and procured an excommunication against him and afterwards caused him to be signified, which cost him 5*l.* before he could be released out of prison, and petitioner could not be absolved before he proved the composition, which being proved you taxed 5*l.* cost against Penny and petitioner extracted a monition against her for payment of the charges, which not being paid you decreed an excommunication against her which was published and since 40 days are expired, but she has not paid, neither seeks her absolution. You respited the fees due from petitioner until he should receive the 5*l.* from Penny. Prays Lambe to decree a "*Significavit*" against Penny and further respite the fees until he is paid by Penny. [1 *p.*]

88. Petition of the same to Archbishop Laud. He delivered your Grace's order upon his former petition to Sir John Lambe, but he would not grant him absolution unless he laid down 30 shillings which he is unable to do; prays that he may have absolution until the end of next term, that in the meantime he may labour for money to take out a commission and prove his composition, for that he is very loath to go home to his wife and children to be kept out of the church. [½ *p.*]

89. Petition of Anne Curtis to Sir John Lambe. Her husband, William Curtis, is about to depart suddenly for Ireland and forsake petitioner and is now making away with his goods and running into debt, so that she is like to be left without means; prays that her husband may be bound upon sufficient security to allow her a yearly maintenance, and in no wise to molest her in any ecclesiastical or other court. [⅔ *p.*]

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90. Petition of Griffith Rytherd, vicar of Llanllwny, co. Carmarthen, to the same. Petitioner has been oppressed by Richard Jones and others as shown in his petition to Archbishop Laud, which was referred to you, and for not prosecuting in a cause of appeal in the Court of Delegates, the cause was remitted to the Arches, with 26*s.* 8*d.* costs awarded against him in the Delegates, for non-payment of which he stands excommunicated, and for some defect in his proceedings in the Arches there is 9*l.* costs more awarded against him there. Prays Lambe to remit the 9*l.* costs awarded against him with a discharge, and to grant him a rehearing of the cause *in formâ pauperis*, he being a poor man and his living only worth 10*l.* per annum. [1 *p.*]

91. Petition of Wm. Rolands, M.A., curate and schoolmaster of Aylesbury, Bucks., to Archbishop Laud. He being placed there by virtue of your Grace's license presents to your knowledge Catherine, the wife of Edward Cockman, a knight's bailee, who conceiving herself touched in one of the sermons of Mr. Bartin, the vicar, did thereupon avow and utterly abjure the hearing of her minister ever afterwards, which rash vow she has kept over 10 years, she voided the church tumultuously whenever Mr. Bartin appeared, and yet she hath gone to hear the lecturers or other preachers of her own approbation as often as she listed. Also Michael Trender, of Aylesbury, schoolmaster (supported by this woman), has much vilified and contemned your Grace's authority; he being a layman has intruded himself into ministerial offices and written himself B.A., having no degree, in the schools, whereby University degrees are made of no effect. [⅔ *p.*]

92. Petition of John Wallis, of Newdigate, Surrey, to the same. Having been wronged by John Bentley, the King's purveyor for hay, he petitioned the Council, but cannot obtain a hearing. Prays his Grace's favour to procure him a hearing. [½ *p.*]

93. Petition of the same to the same. To the same effect. [1 *p.*]

94. Petition of Henry Cooke, clerk, M.A., to the same. Petitioner 14 years since was admitted by the Bishop of Lincoln into the mastership of the Hospital of St. John, Huntingdon, and for seven years has resided and taught there, the value of the said hospital, being 34*l.* per annum, out of which he pays 18*l.* Having lately left the town, being beneficed elsewhere, the Mayor, Aldermen, and Burgesses of Huntingdon have exhibited a bill in the Court of Requests against him, and complain that petitioner is bound to reside and preach there by virtue of a covenant which, as they pretend, petitioner's father made with them. They suggest that they are founders, visitors, and patrons of the said school and hospital, and desire that the whole profits thereof may be taken from petitioner or he be compelled to perform the covenant. Your Grace being visitor of the hospital as Ordinary, petitioner flies to you for succour, submitting himself and cause to your determination as the proper judge to whom this business appertains. [½ *p.*]

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95. Note of the case of [John] Pocklington, D.D., in the Arches Court. He was presented by Richard Conquest, who is said to be a Recusant but not convict, to the rectories of Houghton Conquest and Houghton Gildable, in co. Bedford, which are two rectories in one church. He tendered his presentations to the Bishop of Lincoln, but his institution was dèlayed for inquiry. On the supposition of a lapse his patron is about to be put to his *Quare impedit* and Dr. Pocklington to his expectance of that suit. The Doctor's suit is that the Lord Keeper would first examine the case whether the King has any title or colour of lapse before he gives it, or if he has presented already to command stay thereof till he or the King's counsel may examine it; for it is a hard case to turn the King's title by surmise only upon the subject's inheritance and ever continued possession unless some right or colour upon examination may be first found. [¾ *p.*] *Annexed,*

95. 1. *Warrant of Archbishop Laud authorizing the unification of the two rectories of Houghton Conquest and Houghton Gildable into one rectory, to be called Houghton Conquest.* [*Latin. Copy.* 3¾ *pp.*]

96. Petition of Endymion Porter, Robert Tyrwhitt, and Philip Willoughby to the King. Having in November last petitioned for several commissions of inquiry and grace concerning offences committed by scriveners, brokers, and usurers, they obtained a reference to the Lord Treasurer and Lord Cottington; and while the business was in agitation before the Attorney General, concerning the lawfulness of such commissions, and the way to contrive them, a warrant was obtained from your Majesty and is now ready for signature, notwithstanding petitioners' priority of suit and their labour and charge in the furtherance of the design, pray effect may be given to their former petition and that the prosecution of the business may be entrusted to them as they are able to do your Majesty more effectual and profitable service than any other. [½ *p.*]

97. Petition of Robert Tyrwhitt, your Majesty's servant, to the same. You conferred on petitioner the Billet-office at the Council in the Marches of Wales and Mr. Hanmer having a suit in Chancery against petitioner for a deputation of the same office, an order was lately made there, 28 June last, whereby petitioner is to make Hanmer a deputation for his life and to perform other things mentioned in the order, if he show not cause speedily to the contrary. In respect of his daily attendance on your Majesty petitioner has not time to instruct his counsel and dare not trust the managing of his cause to a solicitor, in his absence; prays that the Lord Keeper may be required to stay further proceedings until Michaelmas term next, by which time he will have instructed his counsel to show cause why the said order should not stand. [½ *p.*]

98. Petition of Jane Wyatt to the same. That Henry Cole and his brother Robert in June last assaulted Robert Rogers so that he shortly after died, whereby the estates of Henry and Robert Cole are forfeit to your Majesty, although they have not as yet been questioned

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for their offence. Prays, if they be found guilty, that their estates may be bestowed upon petitioner; and that examination of the truth of this business be referred to Sir Rd. Wynne and Sir Henry Spiller, J.P.'s for Middlesex, to certify your Majesty herein. [½ *p.*]

99. Petition of Robert Cooke and Samuel Speght to the same. James I., in the 16th year of his reign, erected the office of registrar or examiner to take the depositions and examinations of witnesses before the Commissioners of Bankrupts, and to register the proceedings upon all such commissions to be executed within the city of London and suburbs, and to keep the same in some convenient place, that your subject might have copies thereof and other information. A patent thereof was granted to Edward Hawkins and others, for the City and liberties, which was proved very commodious for the ease of the subject, and most necessary for those affairs. Pray that a like office may be erected for all places without the city of London and liberties, and that your Majesty would grant the same to petitioners during their lives, with such fees and privileges as may be determined by the Lord Keeper, Attorney General, or any other to be necessary and most advantageous for the good of the commonwealth. [⅔ *p.*]

100. Petition of Edward Vaughan to the same. Sir Robert Vaughan having, by his deed of 2nd Feb. 1622, conveyed to petitioner an estate of 2,000*l.* per annum, and by his late will entitled him to all his personal estate, and to lands worth 400*l.* per annum, leased for 21 years for payment of his debts, the verity of which deed and will being questioned in the Star Chamber, after six years suit, were there made good by the opinion of the judges, and the deed referred to a trial at law, from which trial being stayed by an injunction out of the Court of Wards, petitioner was enforced to attend at the finding of an office, after the death of Sir Robert. Proceedings taken by him in the Court of Wards, but he received no relief thereby. Forasmuch as petitioner shall be by that means kept 21 years from bringing his deed to a legal trial, and has been vexed with suits in the Courts at Westminster, Council of the Marches of Wales, and at the counties of Salop, Montgomery, Denbigh, and Merioneth above 12 years, during which time he has been kept out of possession of the land and personal estate, and is now impleaded by Elinor Vaughan in the Court of Wards and the Marches of Wales for an alleged legacy of 500*l.* Prays he may have a trial at law for the clearing of his title, while his witnesses are living with a reservation of your right during the minority of the ward; and that his committee may be ordered to pay petitioner's annuity of 80*l.* with arrearages in the meantime, he being dispossessed of all that was conveyed to him by his late father and brother. [½ *p.*]
Annexed,

100. 1. *Reasons why Edward Vaughan should be admitted to his trial upon the deed made to him by his brother, Sir Robert Vaughan, during the minority of Herbert Vaughan, a ward, and that by way of direction from his Majesty.*

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The deed was made good by the opinion of the judges. The office was found in the Court of Wards, the master of which is nephew-in-law to Sir James Palmer, who married Lady Vaughan. His witnesses may die. He will pay the King out of the estate what he now receives. The ward is by strong presumption not Sir Robert's son; and the deed was made to prevent a suppositious issue. It is customary to admit a trial during the minority of a ward. [1 *p.*]

101. Petition of Edward Baseley to the same. Petitioner having married the widow and executrix of Elias Jolly, your sadler, to whom you owed 2,200*l.*, you bestowed on him the office of clerk for enrolling deeds in Chancery. In Dec. last petitioner exhibited his petition, showing that the nine clerks of the enrolments in Chancery enrolled divers deeds and took fees for them which belonged to petitioner's office, whereupon you referred the examination thereof to the Commissioners for Exacted Fees. The cause coming to be heard about three weeks after the end of last term, the Lord Privy Seal directed the rest of the Commissioners to forbear the hearing until he and the Earl of Dorset should have leisure to hear the same. During the delay caused by the nine clerks, they have procured a warrant from your Majesty to pass a new grant and include your deeds to belong to them, whereas upon the incorporating of the nine enrolling clerks of the Chancery in 16 Eliz. there is a special proviso that they shall not intermeddle with enrolling the Queen's deeds. In respect his estate is in your Majesty's hands, petitioner prays that upon a mere suggestion he may not be deprived of his right. The nine clerks pretend, although they have no grant to that effect, that such of your Majesty's deeds as are to be paid for enrolling belong to them, while the rest are to be enrolled by petitioner in respect he receives a fee of 20*l.* per annum out of the Hanaper, which will not pay for parchment and engrossing, while they receive at least 400*l.* per annum, which as petitioner conceives belongs to his office; howsoever, he submits himself, his debt, and office to your disposal beseeching you to consider that of 2,200*l.* laid out for your service he had but 350*l.* towards his debt from the late Lord Treasurer at six several payments. [1 *p.*]

102. Petition of the same to the same. Petitioner to recover his right, has had divers references from you to your Commissioners for Exacted Fees, then to the judges, then to the late Lord Keeper, Lord Treasurer, and others, to examine and certify which deeds belonged to petitioner to enroll, and what fees were due for the same, and what to the nine clerks of the enrolments in Chancery, but decision is still delayed. Prays another reference to the Lord Keeper, the Lord Treasurer, the judges of either bench, the Attorney and Solicitor General, or any of them, and that in the meantime the fees for enrolling the deeds in dispute may be sequestered into the hands of the Clerk of the Hanaper, to be disposed of where the right shall appear to be at the hearing of the cause. [¾ *p.*]

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103. Petition of Mabel, wife of Christopher Ayres, to the Queen. Petitioner lived with her husband lovingly many years, and had five children by him. In 1630, he falling into lewd company, left her destitute. In 1634 she brought a suit against him in the High Commission Court for alimony, and he was ordered by the Court to allow her 8*s.* a week and afterwards 12*s.* At first he paid, but he has ever since been refractory. Petitioner therefore moved the Court for an attachment against her husband, the consideration whereof was referred to Sir John Lambe, your chancellor, who at first ordered present payment of the arrearages, but afterwards, by false suggestions of her husband, retracted the same, so that now she has been utterly without means for two years. Prays a reference to Sir John Lambe. [1 *p.*]

104. Council warrant to a messenger [not named] to take into custody Robert Newland, mayor, Daniel Broad, constable, and Mr. Dennis, chandler, all of Newport, Isle of Wight, and to bring them before the Lords to answer such matters as shall be objected against them on his Majesty's behalf. [*Draft.* ½ *p.*]

105. Petition of Mary Buckley, widow, to Sir Humphrey Davenport, Lord Chief Baron of the Exchequer, and the rest of the barons of that Court. In Michaelmas term last petitioner was fined in the Star Chamber 40*l.*, which she cannot pay in one sum. Prays it may be installed in reasonable yearly payments. *Underwritten,*

105. I. *Let this fine be installed in yearly payments of* 10*l.* [5?] *payable at Michaelmas. Sir John Denham, Thos. Trevor, Jas. Weston.* [1¼ *p.*]

106. Notes of Edward Bagshaw, reader of the Middle Temple, concerning his reading questioned in the High Commission Court. (1.) Whether an Act of Parliament be valid, the spiritual Lords dis-assenting or not being present? Several Acts quoted passed under these circumstances which are still valid. (2.) Whether a beneficed clerk may exercise civil jurisdiction or be a justice of the peace. In proof that he cannot examples are cited. [1⅔ *p.*]

107. Notes of a suit in the Arches Court. "Mr. Durant contra episcopum Gloucestriæ et Cragg," as to the right of presentation to the parsonage of Weston-sub-Edge, co. Gloucester; upon appeal before the Archbishop against the Bishop of Gloucester and Mr. Cragg, the clerk presented by the pretended patron. The allegations before Sir John Lambe were: That the last incumbent committed simony, letting the rectory worth 200*l.* per annum for 31*l.* to Cragg. That the clerk now presented by the pretended patron was a man not fit to be inducted *causâ criminis;* and that the pretended patron has not any title at all. All which allegations were proved by witnesses and the last by a record in the Exchequer, and in the First Fruits Office, wherein it is showed that the right of presentation belongs to Wm. Hodges and his assigns. The pretended patron desired a day to answer this objection and in the meantime took out a "*Quare impedit*" only to prolong the suit. [1 *p.*]

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108. Names of the doctors of law arranged according to seniority, in all 52. [1½ *p.*]

109. Information of Mr. Kirton against Matthew Lawrence, of the parish of St. Giles, near Holborn. Lawrence pretending a reformation of divers abuses offered to Lord Henry Seymour by one Eliz. Walter, widow, and others about five months past, framed a bill into the Star Chamber, in which he alleges that the said Elizabeth employed Henry Knowles in effecting those abuses, because she knew him to be a Papist and a secret intelligencer to Papists and Seminary priests at home and abroad, and that he had very good skill to work by enchanting and sorceries, &c., as appears by the bill. Upon complaint made by the Earl of Hertford to the Lord Chief Justice, and upon showing the draft of the bill into the Star Chamber, his Lordship granted a writ "De se bene gerendo" against Lawrence, upon which writ he was arrested by the Sheriff of Middlesex and laid in Newgate for want of sureties, whereupon Lord Arundel of Wardour gave bail for his appearance, but he did not appear. Mr. Shelton, parson of Winterbourne, Wilts., affirms that Lawrence showed him lately a letter from Lord Arundel to Lawrence appointing him to provide coats for many soldiers, and that he should shortly receive order for coats for 2,000 soldiers. [⅔ *p.*]

110. Answer of John Beauchamp, merchant, to the bill in a suit concerning the will of Richard Crane; denies any knowledge of the legacy of 100*l.* left him in that will. [2⅓ *pp.*]

111. List of minors in the Court of Wards; in various counties. [2½ *pp.*]

112. Brief of the bill and answer in a suit at Westminster relative to the manor of Spalding-cum-membris, in co. Lincoln, betwixt the Queen's Attorney General by the relation of Philip Jolly, plaintiff, and Edmund Brown, Roger and Thos. Cock, defendants. Edmund Brown has enjoyed lands in Molton and Pinchbeck without title. Thos. and Roger Cock have planted willows on her Majesty's waste and set up wooden houses and a bridge on her Majesty's waste in Pinchbeck, Spalding, and Pancks Green, and made bricks out of the clay of the pasture land in their occupation at Grassbridge. Edm. Brown answered that he was made executor of the above lands by Thos. Brown, of Stamford, and he has paid rent for them to Philip Jolly, the relator. Thos. and Roger Cock deny having done anything they might not lawfully do. [2 *pp.*]

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1. Brief of pleadings in the Prerogative Court, being an addition to the former account of Winifred Nicholas, relict and executrix of David Nicholas, of the parish of St. Dunstan's-in-the-East, London, showing the assets, liabilities, and legal fees. [7½ *pp.*]

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2. Brief in a suit in the Arches Court on behalf of William Meekely, plaintiff, against Peter Williams, defendant. Shows that Robert Keen, died leaving a will, by which he appointed Peter Williams sole executor, and by a codicil he left Wm. Meekely 10*l.*, and his best suit of apparel and cloak worth 7*l.* Depositions of witnesses in proof of the above. [7⅓ *pp.*]

3. The like on behalf of Thos. Napper against John Chaffie. In the parish of Tintinhull, co. Somerset, it has been a custom time out of mind to pay a tithe of 3*d.* yearly for every cow pastured in the parish whether by a parishioner or an out-dweller. John Chaffie, an out-dweller, has neglected to pay. The most ancient men of the parish witness to the custom. [8 *pp.*]

4. A brief on behalf of Thos. Norman against Rebecca Bridge. Showing that Norman obtained Rebecca's promise to marry him and her father's consent, and although no formal contract was made in the presence of a minister they were regarded as man and wife by their friends, as witnessed. [*Damaged by damp.* 12½ *pp.*]

5. Interrogatories to be administered to witnesses in the cause George Willingham *versus* Henry Hardcastle. [7 *pp.*]

6. Letter from John Agan to Mr. Willingham relative to the above cause. [⅓ *p.*]

7. Indenture of lease between Mary Nuttall, of Rocliffe, co. York, widow, and Sir Philibert ver Natt [Philiberto Vernatti], and others, whereby the said Mary Nuttall, by license of the Master and Council of the Court of Wards, demises to the said Sir Philibert ver Natt and others a certain parcel of waste ground in the lordship of Rocliffe, known by the name of the summer pasture, for certain considerations specified, during the minority of Ashton Nuttall, son of Mary aforesaid. [6⅙ *pp.*]

8. Mem.—Edward Viscount Conway, administrator of the goods and chattels of the late Viscount Conway, his father, deceased, exhibited his bill in Chancery against Mrs. Harrison, executrix of the late Viscountess Conway, late wife of the now Lord Conway's father, to be relieved for divers goods, jewels, parcels of plate, and ready money concealed by the late Viscountess belonging to the estate of his Lordship's father and part deposited and trusted in the hands of Mrs. Harrison by the Viscountess in her lifetime and the other part she hath since possessed herself of by colour of her executorship. Mrs. Harrison pleadeth the Statute of Limitation of Actions, 21 Jas. I., alleging that the cause of action arose upon the decease of your Lordship's father, and thereupon refuses to answer. [*Copy.* ⅓ *p.*]

9. Mem.—Sir Wm. Lane made his will, he gave to Eliz. Lane 20*l.* per annum, and to Frances Lane, another sister, 20 marks per

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annum, out of the lands of Copply, a Recusant, and to Harry, his son, a proportion out of the same estate. These children were under age. He thought to make his advantage [and so] got a Privy Seal from King Charles. Since that he has made an assignment under his hand to them for receiving the arrears in the Exchequer, being 500*l.*, upon a note that Sir Robert Rye sent to the Lord Treasurer Ley. [½ *p.*]

Star Chamber. 10. Petition of John Done, cousin and heir of John Done, late of London, baker, plaintiff in a suit in the Star Chamber, against Agnes Done, widow, Wm. Frith, scrivener, Philip Travers, and Robert Leycrofte, for forgery of the will of John Done, whereby petitioner is disinherited of 80*l.* in land per annum and 1,300*l.* personal property. Petitioner questioned the validity of this will in the Prerogative Court where it was nullified, and on appeal by Agnes Done the sentence was confirmed by the judges delegates. Afterwards Agnes Done exhibited a bill in Chancery, but the Lord Keeper being informed of the proceedings in the ecclesiastical court would not meddle with it. Now the said Agnes and Frith, after vexing petitioner with suit these seven years, labour to get a trial at common law. Prays an end may be put to this long suit after six years agitation in so many courts, and that the cause as touching the validity of this supposed will may receive a final determination in this court. [¾ *p.*]

11. Notes of a brief held by Sergeant Cresheld in a suit in Chancery, for Thos. Lye, and others, defendants, against John Chamberlain, plaintiff, touching the title to certain lands in Wales. The defendant, Thos. Lye, was ordered to find security to answer the mean profits in case it should appear that Thomas Lewes upon whose life his estate in question depends were dead. [2 *pp.*]

12. John Bradshaw to Mr. Mortimer. I pray Mr. Mortimer to see how a suit in Chancery is proceeded in between Nicholas Bedingfield, of Suffolk, and Petronill Byfield, who pretends to be executor of Edmund Armiger. I hear they were come to examining of witnesses the last term. I pray you inform me what is done therein and which side is like to prevail. [⅓ *p.*]

13. Remembrances against Richard Hartley and his wife. She has cursed and slandered me and my children. She accused my wife in the open street of robbing her mother of 300*l.* in gold. He has slandered divers of my titles, rights, inheritance, and leases. I purpose a present suit against him to clear my inheritance in the Star Chamber, where I am threatened to be sued by Sir Cuthbert Hassall upon Hartley's most untrue information for forging of divers leases and other assurances. [1 *p.*]

14. Accusations against John Greenhill made by Stephen Knight of businesses not accounted for, fees taken, and other abuses done by the said Greenhill; together with Greenhill's answers to the respective charges. [15⅔ *pp.*]

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15. Petition of Mary Brown, wife of Captain Wm. Brown, to the Council. Her husband being in the Low Countries she has become impoverished in Ireland by fire. Prays a passport for herself, two children, and maid to go over to her husband. [½ *p.*]

16. Facetious remarks in the form of foreign and domestic news entitled "Pigg's Corrants, from Berwick," concerning the Scots, the Jesuits, the Covenanters, the rendezvous, Yorkshire, &c. From France [the news is] that the Christian king is in a strange "ruandarie" and resolves with 40,000 men, remembering that Guernsey and Jersey were once his to dance fresh brawls, after the Defender of the Faith's music to make [true] good old Tarlton's song. "The King of France with 40,000 men went up a hill and so came down again." [6 *pp.*]

17. Memorandum for Mr. Squibb. I send your commission signed ready for the seal, and if any client is to pay then the fees amount to 24*s.* 10*d.* [½ p.]

18. Petition of the chief inhabitants of Coggeshall, Essex, to the Council. Whereas order has been given to the deputy-lieutenant of this county that those soldiers who are billeted in Billericay should be transferred to Coggeshall, which is a town full of workmen, and standing upon the trade of bay-making, which trade for the past six months has much decayed, so that the number of poor has grown extraordinarily great, and the charges trebled. The town is not able to lodge any besides their own families being so populous that four or five families are constrained to inhabit one house. Pray that the soldiers may be billeted in a place more fit and convenient for receiving them. [*Subscribed,* "Nine signatures." 1 *p.*]

19. Petition of Anne Nugent to the same. Petitioner's husband, Richard Nugent, 12 months ago was made captain of a company under Colonel Preston, who, by permission from the State, carried over into the Netherlands a regiment of Irish to serve there. Petitioner was prevented by sickness from accompanying her husband, but having recovered is desirous to repair to him, being now settled in his command. Prays license for herself and her brother-in-law, who has been sent to conduct her, to repair into the Low Countries, being destitute of all means to sustain herself in in this kingdom. *Underwritten,*

19. I. *If a pass be drawn Mr. Secretary will sign it. Robert Reade.* [½ *p.*]

20. Petition of John Horton, victualer, of St. Katherine's, Tower, London, to Secretary Vane. The King granted commissions to several captains and officers to take up volunteers for Holland, who having entertained men for that service make use of petitioner's house to lodge and victual them. But the constables and officers

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when they perceive that any men are so lodged come into petitioner's house, and in contempt of his Majesty's commission force the officers to put in bail to appear at the sessions, and forcibly take away their soldiers, and threaten petitioner that he shall neither lodge such men, nor be suffered to victual any longer; and the prentices seeing the officers' carriages threaten to pluck down his house. Prays that his honour will cause those who on examination shall be found to have wronged petitioner to give satisfaction. [½ *p.*]

21. Petition of six poor soldiers lying in Newgate Prison [to the same]. We make bold to send to you to know whether there be any allowance made for us as yet as other soldiers have. We are in great want and misery, and like to be so weak what with the scent of the house, and for want of food, we shall neither be able to serve the King nor to go down to the sessions. [½ *p.*] *Underwritten,*

21. I. *You must attend Mr. Meautys, the Clerk of the Council, to know the pleasure of the Lords of the Council. W. Slyngesby.*

22. Commission of Francis Lord Cottington, Lord Lieutenant of Dorset, appointing Richard Carpenter captain of the train bands of that county. [*Draft.* ⅔ *p.*]

23. Captain Chamberlain's proposition submitted to the Lord Treasurer, how to increase the horse of this kingdom by 9,000 or 10,000 more in list than they are in this present, and more serviceable than all the rest of the horse we have. Each county to furnish a contingent composed of the younger sons of gentlemen or rich yeomen. Each horseman to have 40 acres of the common land of his parish allotted to him for the maintenance of himself and his horse, for which he shall pay 4*l.* a year rent. This to form a fund for the payment of the officers, according to a scale which the writer proposes. [2 *pp.*]

24. List of drum-majors with the names selected for drummers. [3 *pp.*]

25. Note by Nicholas of army expenditure. The pay of the captains and inferior officers and men of the 25 new companies amounts by the month to 2,559*l.* 3*s.* 4*d.*; of the 50 old companies to 5,118*l.* 10*s.* 0*d.*; total, 7,677*l.* 13*s.* 4*d.* Besides the pay for all general officers for regiments. [1 *p.*]

26. Receipted bill of Colonel Munro and his two men for their chambers and diet for a fortnight commencing on the 14th June 1639, total 8*l.* 14*s.* 0*d.*; ditto for Lieut.-Colonel Furbus [Forbes] and his man, 5*l.* 16*s.* 0*d.*; ditto for Lieutenant-Colonel Berkeley, 4*l.* 7*s.* 2*d.* [3 *pp.*]

27. Colonel Goring's account for 21 days, pay of himself, officers, and 860 soldiers, 965*l.* 6*s.* 0*d.* Total imprest moneys and defalcations, 468*l.* 8*s.* 0*d.* Rest to balance this account, 496*l.* 18*s.* 0*d.* [⅔ *p.*]

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28. Colonel Richard Fielding's account of the sums in arrear due to himself and the officers of his regiment. Total, 5,042*l.* 11*s.* 2*d.* [1 *p.*]

29. Brief account for Colonel Fielding's regiment. [1 *p.*]

30. The account at large for Colonel Fielding's regiment, showing the sums due to the several troops. Total of the full dues to this regiment according to a former accompt, 8,290*l.* 16*s.* 0*d.* [3 *pp.*]

31. List of the officers for the five regiments for whom it were necessary there should be an establishment. [1 *p.*]

32. Account of army expenditure for the captains and commanders named for 14 days. Total, 5,411*l.* 16*s.* 4*d.* [1 *p.*]

33. Account of moneys owing to the King's magazine at Hull by his Majesty's officers, whereof Sir Thos. Glemham is Governor. Total, 1,789*l.* 8*s.* 11*d.*

34. Account of money due to the regiment of Sir Thos. Glemham at Hull, viz., pay for 77 days to the general officers and pay for 154 days to officers under the rank of captain, and 1,111 men. Total, 7,866*l.* 16*s.* 8*d.*, from which defalked by Mr. Pinkney 2,750*l.* 19*s.* 0*d.*, remaining 5,115*l.* 17*s.* 8*d.*; add conduct-money for 111 soldiers for 12 days 444*l.* 8*s.* 0*d.*, makes 5,560*l.* 5*s.* 8*d.* [1 *p.*]

35. Petition of Richard Gardner, Ambrose Hinckley, Robert Parker, Daniel Cillivant, and Henry Simes, of London, to the King. Being drummers by profession they came purposely from London to the fleet for to beat before his Majesty, which they have done on several occasions to the good content, as they hope, of his Majesty with the rest of the most Royal issue, nobility, and others. Request the King's bounty for the fortnight's time they had spent in this service. [¾ *p.*]

36. Petition of Clais Hiddingson, master of the Fortune, from Ostend [to M. Arsens the States' ambassador]. Redeemed out of prison and being again taken by his Majesty's cats and brought to London the Fortune is there condemned as a Flanders ship to the use of the King although it be proved by certificates to be from the city of Horn [in Holland]. One half belongs to Peter Petersen Haesses and Jacob Jansen and Jan Claissen, all citizens of Horn, one fourth to petitioner, who is of the same city and the remaining fourth to Balthazar van Aste of Antwerp, now dwelling in Calais, on whose account the ship is condemned. Petitioner has appealed against the judgment of the Court of Admiralty but would willingly come to some agreement with Dr. Rife, advocate fiscal of his Majesty, who said that he must first have directions from Lord Conway and Secretary Coke. Prays his excellency to speak with those lords to the end that it may please them to give order to Dr. Rife to make a composition, the rather that he doubts not by his appeal to recover the said ship; also that the said ship cannot be brought out of this kingdom but shall be arrested by the owners except Hiddingson do possess her. [1 *p.*]

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Office of the Ordnance.

37. A particular of powder, match, and musket shot sent into the north out of this Office in the years 1638, 1639, and 1640. Total for the three years: powder, 187 lasts; match, 70 tons; musket shot, 104 tons. [*Dorso:* "Sent to Newcastle in the Mary Anne 21 Sept. 1638, powder, 15 lasts, match, 7 tons; musket shot, 5 tons." $\frac{2}{3}$ *p.*]

38. A list of the fees of the gunners belonging to the Tower of London payable out of the Exchequer. Total per annum, 1,125*l.* 8*s.* 4*d.* *Subjoined,*

38. I. *A list of the officers and artificers of the Ordnance appointed for the garrison of the Tower with an estimate of their several entertainments by the day, month, and year, Total per annum,* 1,125*l.* 8*s.* 4*d.* [1 *p.*]

39. Three estimates similar to the preceding. Total per annum, 1,021*l.* 10*s.* 0*d.* [3 *pp.*]

40 A list of the names of the gunners of the Tower whose wages or fees are payable out of the Exchequer, the gunners' fees are fixed at 12*d.* apiece per diem. [$3\frac{1}{4}$ *pp.*]

41. Note of the weight of brass ordnance brought from the Borders of Scotland [in 1639] viz., 2 7-inch canon, 1 demi-culverin, 6 sakers, 1 minion, 11 falcons, 11 falconetts, and 9 bases. Total weight of the 41 pieces, 15 tons 18 cwt. 2 qrs. 4 lb. [$1\frac{1}{4}$ *p.*]

42. Memorial of John Browne, the King's gunfounder. Whereas the repairing of the foundry at Houndsditch is estimated to cost 150*l.*, he will undertake to prepare his own foundry in Kent for the casting of 10 tons of brass ordnance, according to his first proposal, for 100*l.*, whereby also much charge may be saved in removing of instruments, workmen, &c. Prays that the Lords would give such order as may warrant and discharge the Lieutenant of the Ordnance for the impresting of 211*l.* 16*s.* 8*d.* advanced to Browne on account for preparing the said furnace, providing 15 cwt. of tin for the mixture, carriage, fuel, &c.; that whilst he is employed on a service of this haste and consequence, he may not be necessitated to absent himself from the work, and that he may have a warrant from the Board to press workmen. [1 *p.*]

43. Relation of the manner of annual elections of the company exercising arms in the Artillery Garden, London, and of their particular proceedings in their last elections. That for 13 years past Sir Hugh Hamersley himself kept the courts, and every year during that time upon the general election days we chose our president, captain and other officers, putting others still in election with them. [=2 *pp.*]

44. A list of his Majesty's servants in the middle division of Surrey who stand charged with arms, as well horse as foot, and do not show them at the musters. [1 *p.*]

45. Certificate of the names of such as wilfully refuse to find such arms as they are assessed at in Mr. Wm. Powlett's company, with the

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[1640 ?] names of such as refuse to find horses, and the names of such as refuse Capt. Gosnal's entertainment. [4 *pp.*]

46. The names of the most obstinate defaulters at musters in Hampshire certified to the Council out of 53 offenders. [1 *p.*]

47. Petition of Stephen Smith to the King. Your Majesty by your letters patent of 28 May last granted to petitioner the reversion of the office of Customer of the port of Chester and Liverpool after Wm. Singleton, who has divers ways incurred your displeasure by farming out part of his office, and committing other misdemeanours therein, amounting to a forfeiture thereof in law. Prays that upon examination of these charges you would be pleased legally to revoke the grant made to Singleton, and to make such new grant of the office to petitioner as the Attorney General shall think meet; whereupon petitioner will immediately give security without all exception for the due answering of your Majesty's customs and profits. [1 *p.*]

48. Petition of Philip Earl of Pembroke and Montgomery and Edward Earl of Dorset to the same. That King James upon assurance of great profits and advantages that should accrue to his Crown and kingdom by letters patent dated 22 Jany. 1604, erected and made a corporation for the Mineral and Battery works, reserving to the Crown the right of resumption. By this grant the company had the sole power and privilege of finding, melting, and manuring of all mines of gold, silver, copper, calamine, lead, and quicksilver, with the making of iron, copper-wire, and plate, in all your dominions; and this without any rent reserved. There being some few years yet to come in a lease held under the company for making and selling of iron-wire and plate, may it please you in reversion thereof to grant petitioners a lease to make and sell iron-wire and plate for 21 years at the rent of 100*l.* per annum; and this will be as well to the King's advantage as a reward to petitioners. [1 *p.*]

49. Petition of Sir Dudley Diggs to the Council. Though his wife since his coming to London, when the collector demanded the loan-money at his house, made answer that her husband would pay it at London, yet from Sir Norton Knatchbull or the collector's or the petitioner's answer to your Lordships' questions, there appears not any proof of the first charge laid upon him as a delinquent, or of any ill-affection in him to his Majesty's service; is sorry that any words of his have offended your Lordships. Prays that he may be restored to your good opinion and his former liberty. [$\frac{1}{3}$ *p.*]

50. Petition of Robert Cotton, clerk, to the same. He was seized of certain lands in right of his wife for which he was assessed at 3*l.*, but she being lately dead, and the land copyhold, he holds them now only as guardian to his five children. As the profits of the lands are at present less than the fines to the lords of the manor, prays he may be spared the charge of this loan and be discharged of further attendance. [$\frac{1}{2}$ *p.*]

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51. Memorandum in support of the Dover composition. His Majesty by Privy Seal granted to the Farmers of the Customs power to compound with the Merchant-strangers of Flanders, &c., for half subsidy for all goods brought in and shipped out at Dover, having liberty of English shipping and convoy for their safety, and thereupon the farmers article with the Merchants; whereupon the said Merchants are invited to that trade, have their own factors residing at Dover, and have free liberty of bringing in and carrying out their goods from that place. The Lord Chamberlain and the Adventurers in the Fishing, for some injury done them by the Dunkirkers in taking away some of their busses and detaining several men, sue to his Majesty for satisfaction to be given by staying of the goods of Flanders' Merchants in Dover to the value of 5,000*l.* which goods came in upon the composition as aforesaid. If this course take effect that trade would instantly be destroyed which is so considerable, and [yields] advanced revenue to his Majesty, besides the loss of the employment of English shipping, and would give occasion to the Merchant-strangers in all parts to believe they were surprised, wherein these merchants of Flanders have not only an interest, but those of France, Spain, and Italy, and the knowledge thereof would soon spread to the manifest ruin of that trade which is now well-settled. The Farmers of the Customs desire that the goods upon the composition of Dover may be free as formerly, otherwise they must suffer much in their undertaking and be forced to sue for defalcation; and that they may seek satisfaction otherwise than upon those composition goods. [1 *p.*]

52. Certificate of the names of such persons as refused to lend his Majesty, or to enter into bond to appear before the Council in the hundreds of Kiftsgate and Slaughter, county Gloucester. [*Strip of parchment.*]

53. List of patents wanting and yet unpaid for, with a column opposite of fees received.

54. Notes of Exchequer receipts, viz., fines of Star Chamber, defective titles, arrears of sudsidies, 40*s.* duty on wines, fines and amerciaments, &c. Totals, 2,634*l.* 0*s.* 5½*d.*, 70,000*l.*, and 3,891*l.* 12*s.* 10½*d.* [7 *pp. with calculations written upon them here and there.*]

55. Petition of Mr. Mayhew to [Sec. Windebank]. The ports of West Chester, Neston, Hilbre, Liverpool, Poulton, Workington, and Beaumaris are let to Thos. Braddock, of Edgerley, Salop, for seven years. By his articles he is to pay 50*l.* per annum, and to return every year into the Exchequer a book of the names of the passengers that go out of those ports. The patent for passengers is liable to forfeiture if the book be not returned accordingly; but he having got possession of those ports, receives the rents, and pays none; neither returns any book into the Exchequer, whereby I am neither able to subsist myself nor to perform the Lord Keeper's order in paying Mrs. Birkened her 40*l.* per annum. Prays that Mr. Secretary will order Braddock to give good security for the payment of his rent

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and to return the book as he ought, or that another more honest man may be put in his place. [⅔ *p.*]

56. Petition of Sir David Cunningham, on behalf of himself and the Company of Beaver-makers, to the King. Whereas the said company is put to great trouble and charge in making oath to their account every month before a Baron of the Exchequer. Prays that all or any of the following gentlemen may be empowered to take the oath underwritten, viz., William Earl of Sterling, Alexander, second son of the said Earl, Sir David Cunningham, Sir Sigismund Zinzon, Robert Johnston, Lawrence Lisle, Robert Linsey, John Povey, Francis Spatchurst, David Morehead, —Major, and Ninion Cunningham. [¾ *p.*]

57. Petition of the Company of Glass-sellers of London to the same. They have repeatedly petitioned the Lord Mayor and Court of Aldermen of London that their charter and ordinances might be inrolled, but their suit after three years attendance is like to prove fruitless. Pray the King to signify his Royal pleasure to the Lord Mayor and Court of Aldermen forthwith to enroll the said charter in the Chamber of London, and to admit petitioners to such privileges and liberties as other Companies enjoy, and that all such as use the trade of selling glass may be translated from every several corporation and made members of the Company of Glass-sellers only. [½ *p.*]

58. Petition of Joachim Rickman, master of the ship Trinity of Lubeck, to the same. Being lately come out of the East Country, [Germany,] with hemp, he received his freight from the merchant partly in rix-dollars. Being upon a further trading voyage he put these to a greater parcel of rix-dollars which he brought out of the East Country hither, being in all 600 rix-dollars, equal to 135*l.* sterling, to buy his lading of deals in Norway, there being no exchange from hence thither, nor can goods from hence be disposed of, so that it is customary for merchants to send specie thither. The rix-dollars were stopt and seized by the searchers at Gravesend, petitioner being ignorant but that such foreign coin as he brought into this kingdom he might freely carry out again. Prays an order to John Robinson, searcher, and George Terrick, waterman, to deliver the said 600 rix-dollars to petitioner to enable him to proceed on his voyage. [⅔ *p.*]

59. Petition of Wm. Lee, stationer, to the House of Commons. That a large quantity of Bibles and Communion books, being the proper goods of petitioner, were imported and seized at the Custom-house, London, in 1633 and 1634, by Richard Whittakers and others, and on 10th March 1634–5 other bound copies of the same were taken away from his house in Lothbury, London, by John Ragge, the messenger, and others. That all the said books are now remaining in the custody of the Clerk of the House of Commons. Prays that upon his proving his proprietary restitution may be made according to justice. [2 *pp.*]

60. Petition of Agnes, wife of George Grace, to the same. That her husband being a merchant of London for many years transported

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into Holland great quantities of cloth, kerseys, baizes, &c., and has a house at Delph, but about eight years ago the city of Delph being visited with the plague all his servants in the house there died to his great damage and loss, whereupon going into Holland he found his servants had received as the best payment they could get for debts owing there a great number of English Bibles to the value of 300*l.*, which on being imported into England were seized at the Custom-house Quay and carried into Stationers' Hall as being prohibited and afterwards into the High Commission, and now are thence removed by order of this House. Being overwhelmed with debt, her husband about 2½ years since was constrained to forsake this kingdom for Virginia, leaving her and her son destitute. Prays restitution of the Bibles or compensation. [*Copy.* 1¼ *p.*]

Petition of the Manufacturers of Mohair yarn in co. Middlesex to the same. Petitioners being informed that this House had under consideration a Bill for prohibiting the wearing of stuffs made of the said yarn for outward garments during the winter season desire to acquaint the House that there are as many families employed in this as in any other manufacture in any single county, that these garments are lined with shalloon or other woollen manufacture, and are worn by those of the better quality, who, if prohibited the use thereof at such times as they are most used, will wear fine cloth made of Spanish wool, and so though the mohair weavers be ruined the English wool will not be advanced thereby. Pray that so considerable a home manufacture may not be discouraged upon pretence of a supposed advantage which if true could in no measure recompense the ruin of so great a body of people. [*See Correspondence of Levant Company, vol i., No.* 90. 1 *p.*]

61. Petition of the Drapers and Clothiers of co. Lancaster to the Council. One, Walter Leacocke, being made deputy-alnager has endeavoured by indirect practises to extort greater fees from some than have heretofore been paid and to others has denied the seal so to subject them to seizure and forfeiture and has exhibited a bill in the Exchequer, by which grievances our trade of clothing is like to be overthrown and our poor people to perish for want of employment, as lamentable experience upon some small decay of trade in a few years past has made manifest. Pray that the alnager may be commanded to seal the cloths upon the ancient accustomed fees and duties, or else that the business may be settled by Sir Humphrey May, Chancellor of the Duchy of Lancaster. [½ *p.*]

62. Petition of Anthony Hooper, merchant, to the Council. Petitioner residing in France freighted a ship with goods for the Canary Islands and his factor there sent back a cargo of about 30 tons of campeachy-wood to be sent to the Downs and there reshipped for France. But by stress of weather they were driven into Tilbury Hope and the cargo was there seized by the Customs' officers. As the cargo was not intended for England prays its restitution, that he may transport it to France. [¾ *p.*]

63. Petition of the merchants of Totnes, co. Devon, to the Council. Their goods have been arrested at Rouen, but they are not prepared,

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with their proofs as yet. Pray that in case the differences between the two States be not reconciled that then upon due proof they may have such satisfaction out of the French goods here arrested as shall countervail their losses. [½ *p.*]

64. Remonstrance of the Clothiers concerning the inequality of the duty on the export of cloths. The export of white and coloured cloths into Germany, France, and the Low Countries has lately been much decreased by reason of a great vent in those parts of a new sort of cloth which has been lately invented by the Western Clothiers called Spanish cloth. By reason of their fineness 400 of these cloths usually stand the merchants in more money than 700 white or coloured cloths, and yet the respective duties are 200*l.* and 450*l.*, to the great advantage of the merchant of Spanish cloth, but a loss to his Majesty in the rate thereof. It is conceived that new rates by weight or measure should be established, which will much improve his Majesty's receipts and the cloth sufficiently able to bear it. [1 *p.*]

65. Examination of Thos. Willis, a scrivener, of Westminster. Deposes that he was sent for to the Queen's Arms, King-street, in the name of one Keniston, a poulterer, where he found about 20 persons, who, he doubts not, were poulterers, and they gave him instructions to draw a petition in the name of the poulterers of London to the Council, the effect whereof was to desire that they might be restored to their ancient way of trading and they would yearly for the provision of his Majesty's household serve in a large proportion of rabbits at such a price as would be much saving to his Majesty; and save him money in his own privy diet. This was the whole substance and effect of the petition so far as he remembers. [⅔ *p.*]

66. Exceptions to the draft of the order in reply to strictures proposed against the cloth-makers of Norwich, as to the engrossing by strangers of many trades in one hand, the wages given to Dutch employees, &c. [2 *pp.*]

67. Reasons concerning discount to be allowed on the price of the Pepper. The English conceive that they ought to have 32½*d.* per pound for their pepper sold by the Dutch without abating the discount. [1 *p.*]

68. Act of Common Council of London for regulating the office of constable within that City. No one shall be exempted by paying fines, but only by showing, upon sufficient evidence to the alderman and council of his Ward, his inability or damage to perform the office. [*Originally enacted* 31 *Aug.* 1622, *but reprinted by Robert Young, printer to the city of London in* 1640, *probably with relation to the extraordinary duties of the citizens in watching and warding this year.* 2 *pp.*]

69. Answer of Lord Mayor and Aldermen of London to the King's letter concerning the office of Garbler. That long before the King's letter the committees authorized by the City granted to Roger Hatton, then present garbler, a new lease to commence after the former in being for 21 years, which former is not yet expired. Hatton has paid into the Chamber of London a part of his fine in

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performance of that agreement. The City are tied to make good the said new lease to Hatton and his executors and cannot dispose of it to any other. All which we submit to his Majesty's wisdom. *Underwritten,*

69. I. *For reply to the above answer, Thos. Smithwick says that the committees authorized by the City did not grant a new lease to Hatton. That he withdrew from the agreement after having paid* 200*l. of the fine, and by his petition to the Lord Mayor and Court of Aldermen fell from the agreement and prayed a reference for a new treaty, which was granted, but pending the reference and before any lease or new agreement he died, so as it is absolutely at the disposal of the City; no suggestion was made of the now pretended interest of Hatton's executrix until his Majesty's letters came in behalf of the supplicant and then for a colour to avoid his Majesty's intervention for the writer this discontinued treaty was raised up for an interest. Doubts not to prove that at this instant there is a design to confer the place upon a relative of one of the greatest Aldermen, unless the King's pleasure be further signified. Nor is the office of garbler, being of great trust, fit to be conferred upon the executrix or any other woman.* [1 *p.*]

70. Petition of the freemen of Coventry to the King and Parliament. There have been many differences amongst us, suits in law, riots and tumults, and risings these 12 years, causing great abuses and wrongs whereby many men have sustained great loss, their corn being spoiled and poor men's cattle spoiled, with risk of life. There have been many well-disposed men who have given many closes and meadows to lie common in pasture half a year which the poor freemen depend upon for keeping of cattle and cannot live without those grounds, by reason that trading is so decayed in this city. The husbandmen of this city persist in ploughing up those grounds which causes the differences above mentioned. When they saw that they could not get their corn off the ground by 1 August, being the first day the ground must lie common, that then they sowed flax upon the ground. Crave of this Honourable Court of Parliament that these grounds may lie common in pasture according to the gift of the donors. [*Subscribed,* "78 signatures and marks." ½ *p.*]

71. Articles concerning the Hospital of Sherburn of the King's foundation and in the patronage of the Bishops of Durham. It is for the present so governed that the statutes are fully kept, the brethren live in plenty, and there appears no cause of complaint, about 500 poor being weekly relieved. If the master's portion be so stinted as is demanded, he would not be able to live himself, much less to help others. [*Endorsed by Laud:* "Considerations for the Hospital of Sherburn in the Bishopric of Durham. The Bill of Hospitals." 1 *p.*]

72. Inquisition [of Commissioners for Depopulation] into the inclosure of Aynho, co. Northampton. Part of the township [of Aynho] was inclosed 16 years since, at which time about 5 acres of every

[1640?] yardland were inclosed. Deponents say there are not any farms decayed by reason of the inclosure or fewer ploughs kept in the town; but whereas 5 or 6 acres were allotted by the inclosure of every yardland the lord had for his share about 50 acres, or after that proportion, wherein before the tenants had common, and hence they conceive their farms are now by so much the worse. And they say the lord has converted to pasture 50 acres of arable and taken from the tenants, by a decree got in Lord Bacon's time, all their common, containing 350 acres, wherein tenants had common for their cattle in one part of it from Midsummer till Lammas and in all of it from Lammas to Candlemas. Deponents say the inclosure was made by Richard Cartwright, Esq., deceased, and is since continued by his son John, and that at the time of the inclosure the best land was taken from the copyholders and rackrent tenants, to give satisfaction to the freeholders in lieu of their commons which were inclosed and improved for Mr. Cartwright's advantage. [1 *p.*]

73. Certain particulars offered by John Cartwright to the Commissioners for Depopulation. It appears by a decree in Chancery made 16 years past that there is in the township of Ayhno, in co. Northampton, 2,257 acres in which Richard Cartwright had common for 100 beasts, 1,000 sheep, and 20 horses. Upon inclosure of part of this common land, about 557 acres, Mr. Cartwright inclosed about 300 acres, whereof only 50 acres of arable land were converted to pasture; but as a set-off against this he has these many years ploughed up 95 acres that were ancient pasture. [1 *p.*]

74. According to his Majesty's reference we have considered the several articles annexed to the petition of the Mayor and Commonalty of York and think fit that in the renewing of their charter the following cautions be observed:—1. That the Lord Mayor for the time being, with the Recorder and four of the most ancient aldermen, be always of the commission of peace and quorum. 2. That St. Mary's being without the walls of the city be not subject to any payments for the reparation of the said walls, nor of the bridges, otherwise than by law. 3. That the exemption of the inhabitants from being impanelled on juries or inquisitions, save only by the sheriff of the city, be granted by his Majesty. 4. That the limitation of the absence of the aldermen and sheriff to 60 days in the year, as is desired in the 5th article, have a liberty added of further time to be given by leave of the Lord Mayor and greater number of aldermen. 5. That the number of the common council in the 6th article be reduced to 72, to be chosen 18 out of every ward. 7. That the enlargement of the jurisdiction of the city be extended to villages [named] within a mile. [1½ *p.*]

75. Names of hamlets, granges, and townships within a mile of York. *Underwritten,*

75. 1. *These towns, I think, may be allowed to pass in a new charter for the city of York, being all within a mile or little more of the city and will fall with good advantage to his Majesty's service under the government of the Lord Mayor and Aldermen, which, nevertheless, I do herein submit my opinion to better judgments. Wentworth.*

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76. Mem. signifying his Majesty's pleasure that the Attorney General prepare for his Royal signature a book for confirmation of the former grants and charters made to the city of York, with such additions as are contained in the notes annexed to the petition, according to the tenor of the report under the hands of his Majesty's referees. *Dorso,*

76. 1. *Notes of alterations to be observed in drafting the new charter for York.* [=1½ *p.*]

77. Notes for Wm. Prynne. Mr. Trotter, clerk of Dover Castle, and Mr. Raworth, town-clerk of Dover, were served with or had an order of the Privy Council 1638 or 1639 for removing the Chancery Court (held for the Cinque Ports at St. James' Church), Dover, where it was held, as by records for many hundred years remaining in Dover Castle is apparent, into the Mayor's or Town Court of Dover, although it is a court of equity like the Chancery at Westminster, notwithstanding the Bishop's Courts were then kept in churches in Kent. Sir Edward Boys, M.P., now Governor of Dover Castle, keeps the Chancery Court in the church again. Ancient customs and usages violated by the Archbishop and others. Amongst the letters in the office of Dover Castle may be found many Privy Councillors' orders and letters of consequence, as that of the Earl of Arundel and Surrey for raising 300 men in the Cinque Ports against the Scots, for the letters and orders of the Board were kept upon files by themselves. One, Allen, passing in 1638 or 1639 into the University in Flanders was by my Lord of Canterbury's warrant as he affirmed kept prisoner a long time in Dover Castle for it. The Archbishop of Canterbury or his Dean claimed certain wrecks at sea or on the sea-shore within the jurisdiction of the Lord Admiral of the Cinque Ports. [1 *p.*]

78. Reasons why Wm. Guys is not fit to be made sheriff of co. Gloucester. 1. He has no land nor house in that county. 2. His father, Sir Wm. Guys, who has been sheriff, is living. 3. Wm. Guys has no means but a pension from his father and has the charge of seven children, grown to men and women's stature. [⅓ *p.*]

79. Draft of the above notes by Nicholas, with the names of six other gentlemen [more fitted to be chosen sheriff] for co. Gloucester. [½ *p.*]

80. List in Sec. Windebank's hand of books and papers belonging to [Wm. Jones, justice of the King's Bench,] amongst others are enumerated Lord Mountnorris' business, Sir Francis Bacon's letters, Mr. Montague's letter to his father, orders for the Guard, ordinances for the better and more regular administration of justice in Chancery, proceedings at the justice seat in the forest of Dean, officers' fees, Lord Deputy's instructions, form of the Coronation, the state of a Secretary's place, arguments of Judges Crawley and Crooke concerning the Shipping business. [¾ *p.*]

81. Petition of Lady Anne, daughter of the Earl of Kelly, and wife of Sir Robert Mowbray, to the King. Beseeches you will pardon her importunity, her necessities forcing her, which are so extreme that unless you grant her some present help there is no possibility to preserve her and her children from starving. [*Obliterated by damp.* ⅙ *p.*]

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82. Petition of Margaret Bellenden to the King. You granted petitioner a suit in recompense of a certain debt, owing by the Earl of Orkney to her mother, in the following and sueing whereof she has so impoverished her means that she is unable to follow it longer, or to entertain herself. Prays an order for her maintenance from the Privy Purse and for bringing her suit to an end. [½ *p.*]

83. Petition of John Nicolls to the same. Petitioner has born the burden of public affairs 16 years, during which he attended the late Viscount Dorchester in his employments both at home and abroad, without recompense. In consideration whereof he begs the reversion of the place of assistant to the Master of the Ceremonies after the decease or surrender of Sir Balthazar Gerbier, who now enjoys the same. [⅔ *p.*]

84. Petition of Richard Sheldon, D.D., to the same. That five years since a large treatise written by petitioner in defence of Royal Prerogatives was by your order delivered to the Archbishop of Canterbury to be perused. Prays it may be restored to him again. [½ *p.*]

85. The submission of Gregory French. Acknowledges he has offended his Majesty by false and disloyal speeches, expresses his contrition and promises never to offend again. [¼ *p.*] *Dorso,*

85. I. *Gregory French lodges at the King's Pike-Garden, on the Bankside, at the house of Roger French, the King's purveyor for fresh* [*water*] *fish.*

86. Cornelius Cronyng to [Sec. Windebank]. I have been with my Lord Deputy [Strafford] who did approve well of my affection to serve the King, I pray your honour get the King's letters for me to the French King for my pay this three years, which I have served in his wars of Brabant and Picardy, as by certificate under my general's hand may appear; also that you would procure her Majesty's letter to Monsieur de Noyer, Secretary of State. See if you can settle some place on me in Ireland which my Lord Deputy will consent to. [⅔ *p.*]

87. J. Countess of Holland to Henry Earl of Holland. Leaves all relation of his business to the bearer, only expresses her sorrow that it comes to so great a sum. [*Seal with coronet and arms broken.* 1 *p.*]

Ashby.

88. Chas. Smith to Endymion Porter. Demands the restitution of his wife's dog, lost by one of his footmen and taken up by Porter, as he values his friendship. [*Seal with arms.* 1 *p.*]

89. Sir Thos. Russell to the same. The favours he has received exceed any requital he can tender; begs his acceptance of such poor venison as this wet year affords. [1 *p.*]

90. Thos. Wh[arton] to the same. We came too late to gain a reference to Sir Thos. Aylesbury, so that I attended at dinner my

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Lord of Dorset and his secretary, Mr. White, who advises that you hasten the reference by Secretary Coke to the Lords named in the petition. The grievances and petition I have left with [Richard] Harvey, your servant. [½ *p.*]

91. Richard Grenville to his grandfather, Endymion Porter. Begs to be approved desirous of his grandfather's service and to be commanded on all occasions. Sends enclosed receipts and rules for shooting. Protests his undying affection for his grandfather. [1 *p.*]

92. Nicholas Martin to Richard Harvey, servant of Endymion Porter. As for Cox and Hill I have so often demanded the money that I am now weary. Noah Griffen has paid one bond, but affirms the other was paid to your uncle in his life-time. Mrs. Anne Popham has not paid; not from any neglect of mine to ask her for it. Mr. Weston tells me a cousin of his, one Mr. Chambers, will be with you shortly and settle. For the payment of your 100*l.* I shall desire your former respite. [1⅓ *p.*]

Honington. 93. Ralph Gybbs to his uncle, Nicholas Porter. Sends a bond to be sealed and prays him to send by the bearer the interest for the last and coming year which amounts to 50 shillings. [½ *p.*]

94. Notes by Nicholas headed "servants and masters." These observations refer to John Leech, Lady Carr, Richard Ryves, and John Hunt. [¼ *p.*]

95. [Sec. Windebank] to the Council of Scotland. It is fit his Majesty should interfere out of the sense of the burden of his subjects inhabiting within the Earl of Argyle's justiciary, who are forced to withdraw themselves from his Majesty's due obedience under pretext of their appearance at justice courts at Inverary or other parts where they have no power to resist the unjust commands of the Earl or his deputies; therefore, it is his Majesty's pleasure to discharge the said Earl from holding any justice courts within the bounds of his jurisdiction and his Majesty's subjects from appearing before him or his deputies under all pain until his Majesty's further pleasure be signified, and that Sir Lachlan Maclean and Archibald Maccoll be set at liberty or else surrendered to the Keeper of Edinburgh Castle, there to be kept till his Majesty take such course as he may think fit for their trial. [*Minute.* ½ *p.*]

96. Petition of William Scott, of Balvery, to the King. In regard of his many services prays the King will grant him out of this plantation now in hand 1,500 acres of land, paying and performing as others do. [⅔ *p.*]

97. Petition from his Majesty's subjects in Scotland. Pray that the King will ratify the Acts of the last General Assembly, also the Acts of the last Parliament passed in Articles, wherein is comprehended the Act of Assembly concerning the abolishing of episcopacy, and the Covenant and Act of Assembly ratifying the same. It is

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against reason and the laws and custom of Scotland that your Majesty should ratify or approve any Act, which is not first presented to you and seen and signed by you. [*Copy.* ⅔ *p.*]

98. Petition of George Buchanan to the King. His brother was a captain under Lieutenant-General King in Germany, and petitioner went to visit him there. On his brother's death he returned to Scotland with no ill intentions, but to be a helper to his parents in time of their age, and being taken to London amongst the rest was put in prison, where he now lies destitute of all means. Prays his release, or allowance of means. [1 *p.*]

99. Petition of Edward Bolde to Sec. Vane. Petitioner served Patrick Wood, of Edinburgh, seven years, who on his death owed petitioner 170*l.* He cannot obtain payment, this, with some monies in the hands of divers salters of Scotland, being most part of his estate. Prays that a warrant may be procured from the King to Sir David Cunningham, administrator of the said Patrick Wood's estate in England, that out of the first monies he may receive or goods in his hands petitioner may have satisfaction. Prays also a warrant for free egress and regress to Scotland to transport salt. [*Seal with arms and crest broken.* ¾ *p.*]

Thomtalan. [Tantallon.] 100. Archibald Earl of Angus to William Marquis of Douglas. Your letters of the 27th came not hither till this night. If I had received your command before my going into the town I should have striven to have obeyed the same so far as I could. Since my home-coming this night I have gotten advertisement that my own minister with others who were directed the last Presbitery day to come to me on Monday next to receive my last answer with a peremptory commission, which now I think they shall omit. What is done cannot be undone, and therefore I am resolved never to disavow the same. God knows the loyalty of my heart to my prince. I have done nothing else than what before my parting from Court I told his Majesty I would be necessitated to do, which I hope may give you some satisfaction, with the assurance that I intend to strive more than ever to express myself your most dutiful son. [*Seal with crest broken.* 1 *p.*]

101. Petition of Captain Gilbert Byron to the King. Last summer by your permission petitioner took up in this realm for the assistance of the Elector Palatine 120 men, and carrying them hence to Bremen, he and his men were by the magistrates there denied passage, insomuch that he was forced (to his great charge) to bring them overland to Amsterdam. And soon after they being there some of the officers belonging to the West India Company resident at Amsterdam did (notwithstanding they were forewarned the contrary by petitioner's officers) underhand hire and take away for the service of the said Company 33 of petitioner's soldiers by their own confession, and many more they have inveigled away as petitioner has been since informed; by which indirect dealings his Highness' service has not only been prejudiced, but petitioner damnified above 600*l.* Now for that petitioner has petitioned the Committees of the Company and can have no relief, as by a copy of

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the petition, and their answer translated out of Dutch, may appear. Prays that for reparation of his losses he may have leave to arrest any of the States' ships now in your Majesty's harbours with power to detain them until he receive satisfaction. [½ *p.*]

102. List of captains of the recruits designed by Sergeant-Major Shaw for the regiment of Colonel Gage [serving in Flanders], with the number of recruits; total, 640. [¼ *p.*]

103. Petition of Ludovick Earl of Crawford to the King. The Count of Vianiatto, ambassador extraordinary to the King of Spain at Vienna in Austria, having commission to levy great forces, did, as by capitulation under his hand and seal appears, agree with petitioner for a regiment of 3,000 infantry, which petitioner raised and they have served truly and faithfully as is attested by the Spanish general's pass and certificate. That in Burgundy after two years employment by continual service and famine they decayed in the regiment until there were not above 300 men left, in all which time petitioner had neither pay nor means of subsistance for himself or soldiers, insomuch as for his own monthly pay and their supply and support he disbursed amongst them of his own proper monies and goods which he had gotten under other foreign princes to the value of 25,000*l.* After petitioner's service truly performed, the general finding the pay of the officers great and the soldiers inconformable desired to cashier petitioner's regiment to which he assented, on condition that his Excellency, conformably to the capitulation, would pay his arrears, but the Marquis De Terrawowsa being general, seeing petitioner's officers unwilling to be dismissed without their pay, directed petitioner by letter to take a muster, and march to a place appointed, which he accordingly did, then the general having there 3,000 foot and 2,000 horse violently forced petitioner and his officers without pay either for the past or present to leave their arms and himself break petitioner's colours, dismissed his officers and kept the soldiers, giving petitioner only a letter from Count de Vianiatto to repair to Vienna, 200 leagues distant, to receive satisfaction conformably to the capitulation, but before he and his officers could get there the Count was departed for Madrid, whither they followed him with your letters of recommendation, but were referred back to the Marquis Castivedo in Vienna, who detained them for six months with promises, and then told them he had no money until the return of the fleet. Petitioner appeals to your Majesty for relief in the premises, and according to your judgment beseeches you to vouchsafe him your favour and justice, that he may be paid his debt and have satisfaction for the abuse and disgrace done to him as herein related. [1 *p.*]

104. Petition of David de Hasteville, formerly called Father Archange de Hasteville, Abbé du Val de Sainte Croix and General of the order of St. Romuald, to [Sec. Windebank]. Petitioner having lately embraced the Protestant religion, and thereby renounced all benefits that accrued to him from Papistry, begs some sort of entertainment or pension, or in default of this to procure him a largess in money from the King. [*Endorsed by Windebank:*

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[1640 ?] "Hasteville lies in Great St. Bartholomew's in Mr. Crumpe's house. Thos. Mayo, in Fetter-lane, sometime a Papist, but now a Protestant." *French.* ½ *p.*]

105. Notes on the present state of the law of extradition. How far rebels, traitors, fugitives, &c. of one prince are to be by another prince delivered up, tried, banished, or made stay of? Cases illustrating the practice pursued in England, France, Germany, Spain, and Holland, quoted from the reign of Henry VII., beginning with the White Rose, down to the case of Colvill, in the year 1640. [12 *pp.*]

106. Note books of Edward Nicholas relative to the affairs of the Admiralty, chiefly whilst the office of Lord High Admiral was in Commission. Nicholas acted as secretary of the Admiralty as well as being clerk of the Council. They comprise brief notes of the sittings of the Commissioners from June 1630 till the appointment of Algernon Earl of Northumberland in 1638, to be Lord High Admiral; with a dormant patent to James Duke of York, of the same office, dated 7th April 1638. After this date the entries are but few, and relate to Admiralty business to be brought before the notice of the Council by Nicholas in his capacity of clerk. Besides the questions determined by the Commissioners at their sittings in Wallingford House, relative to the administration of the ordinary business of the Navy, these notes contain estimates of the charge for setting forth the King's ships, with their names, and number of men in each. The power of the Lord High Admirals in disposing of wrecks and pirates' goods. A comparison of the tonnage of the Royal Navy in the reigns of Henry VIII., Edward VI., Mary, and Elizabeth. The proportion of gunpowder to be supplied by the King's gunpowder-maker. Questions brought before Sir Henry Martin as Judge of the Admiralty. Precedents for the granting of a patent to James Duke of York for the office of Lord High Admiral.

ACTS OF THE COURT OF HIGH COMMISSION.

JULY to DECEMBER, 1640.

In continuation of those published in preceding Volumes. They are derived from Vol. ccccxxxiv.

1640.

July 1.	Vol. ccccxxxiv. fol. 211 *b.*	Peter Ingram, clerk, of Desford, co. Leicester.	Appeared and was sworn.
July 2.	fol. 225.	Sir Edward Powell - -	Witnesses for the prosecution produced and sworn.
	fol. 228.	Robert Barker and Martin Lucas, the King's typographers.	The certifying of their fine of 300*l.* was respited till this day.
		Lady Eleanor Douglas, *alias* Davyes.	Her fine of 2,000*l.* was respited till this day.
		William Hill, schoolmaster -	The like.
	fol. 228 *b.*	Will. Jones, late typographer -	The like.
		Sir James Price - -	His fine of 100*l.* was respited till this day.

1640. ACTS OF THE COURT OF HIGH COMMISSION.

July 2.	Vol. ccccxxxiv. fol. 228 *b*.	John Wentworth - -	His fine of 1,000*l*. was respited till this day.
		Nathaniel Wickins - -	The certifying of his fine of 1,000*l*. was respited till this day.
	fol. 229.	Nicholas Slatier and Blanche Cooper.	His fine of 1,000*l*., and hers of 100*l*., was respited till this day. Slatier is dead. His fine is left out and hers stands.
		Thos. Foxley, clerk - -	The certifying of his bond of 100*l*. was respited till this day. Respited again.
		John Everard, S.T.P. - -	His fine of 1,000*l*. taken off.
		John Fort, of Tiverton, Devon, clothier.	His fine of 500*l*. for Anabaptism, respited till this day, to be certified.
	fol. 229 *b*.	John Ashton, prisoner in the Fleet.	The certifying of his fine of 200*l*. for preaching upon Toby's dog was respited till this day. To stand for next court day.
		John Strange - - -	His fine of 50*l*. for non-appearance to be certified.
		Will. Banbury, *alias* Powis, and Margaret his wife, of Newbold Pacy, co. Warwick.	They were fined for non-appearance by intimation in 40*l*. To stand.
		George Harris, of the parish of St. Andrew's, Holborn.	He was fined in 200*l*., April 23, 1640, for living in adultery with Elizabeth Staples, *alias* Lewis. Return 50*l*.
	fol. 230.	Will. Polewheile - - -	His bond of 100*l*. for non-appearance was ordered to be certified this day.
		The allotment of expenses to John Greenhill, public notary.	A petition on his behalf was read in court this day, praying his expenses in expediting a commission ex parte officii against Sir Edward Powell might be allowed him, which the court held reasonable, and referred it to Sir John Lambe, Dr. Duck, and Dr. Eden, or any two of them, to allot Greenhill such allowance for the same out of the fines and forfeitures ecclesiastical as they might think fit.
		Thomas Overman, of Southwark -	He was fined 50*l*., 18th June 1640, for contempt of this court. [To be heard] the first court day of next term, and an order to issue that nothing be done prejudicial to the office. 10*l*. returned.
		John Pulton and others, the governors of the hospital at Rothwell, co. Northampton.	The cause to be heard the first court day of next term; meantime an intimation to issue to the governors not to let any lease of the lands, or any part thereof, belonging to the hospital, nor to choose any officers or poor men into the hospital, nor do anything prejudicial concerning it in the meantime.
		Sir Patrick Abercromby, of Greenwich, Kent.	Appointed for next court day; and Sir Patrick to be required to be present.
		[Milo] Burkett - -	To remain suspended.

Acts of the Court of High Commission.

1640.			
July 2.	Vol. ccccxxxiv. fol. 230 *b*.	Edmund Terrold, gent. - -	Terrold having promised to pay the promoter 160*l*. in full discharge of all costs sustained by him in prosecution of Mark Corbold, the court seemed well contented therewith; and if the composition be performed to the liking of the promoter, whose care they well approved, by the first session of next term, the court did absolutely dismiss the cause, ordered all bonds to be cancelled, and decreed the articles against Terrold to be discharged.
		[Adrian] Henrick -	An attachment decreed.
		[Thomas] Buckley - -	Metcalfe to be close prisoner till he pay expenses according to the order of the court.
		Dr. [John] Everard - -	His bonds to be delivered him.
		John Beale - - -	His attachment dissolved till Michaelmas term.
	fol. 231.	Rice Wynn, rector of Trawsfynydd, co. Merioneth.	Whereas Wynn was convented in this court for incontinency, and other matters of mean consequence, it appeared to the court he had confessed his crime before his ordinary, and suffered due punishment, before he heard there were letters missive or any process against him out of this court. The court, therefore, dismissed the cause, and referred further consideration thereof to the Bishop of Bangor, his ordinary; but as the court conceived the promoter of this cause might be probably ignorant that the defendant had already suffered punishment for his crime, they condemned Wynn in costs to the promoter, and taxed them at 3*l*., and ordered Wynn to be monished to pay the same.
		Concerning the fees of the office, &c.	This day the court ordered that the notes concerning the fees of this office should be presented to his Grace [Archbishop Laud], to be considered the first court day of next term, and a table thereof to be made and set up in a convenient place in the office; and Sir John Lambe to be meantime put in mind thereof. Ordered also, that henceforth on every mitigation day a note of the number and sorts of all prohibited Popish and schismatical books remaining in the registry of the court be presented to the court, that order may be taken for burning or disposing of them accordingly. Ordered also, that the messengers belonging to the court should a week before every mitigation day present their bills annexed to their petitions to Sir John Lambe, Dr. Duck, and Dr. Eden, or any two of them, that they may peruse, and if need be correct them, before they are presented to the court; and that the messengers should not presume to put in their bills any service whatsoever done or pretended to be done before the last preceding mitigation day.

Acts of the Court of High Commission.

1640.			
July 2.	Vol. ccccxxxiv. fol. 231 *b.*	Allotment of expenses to John Wragg, John Vesey, and Thos. Thrasher, messengers of this court.	This day these messengers delivered into court their several petitions and bills of services done since last mitigation day, which were read in court; the court referred them to Sir Jo. Lambe, Dr. Duck, and Dr. Eden, who, or any two of whom, are to peruse their bills of services and allow them such competent satisfaction for their pains and expenses out of the fines and forfeitures ecclesiastical as they shall think fit.
	fol. 230 *b.* fol. 231 *b.*	The like to Stephen Knight and John Greenhill, public notaries.	The like reference.
	fol. 231 *b.*	Margaret wife of James Harris, Lewis Bodie, mercer, Thos. Jones, mercer, and Alice Howell *alias* James, of Abergavenny, co. Monmouth.	Defendants having neglected the letters missive to them to appear and answer articles, an attachment was decreed to bring them to answer their contempt.
	fol. 230 *b.* fol. 232.	Christopher Ayres, of London, suit promoted by his wife.	Ordered to pay his wife 10s. a week for her alimony and to pay the arrears due to her at the same rate; the attachment decreed against him for not paying the said arrears to be dissolved for the next fortnight to see if he pay them in the interim; if he submits to this order and pays the arrears the attachment to be made void, but if he neglect to do so it is to be in force against him.
		The churchwardens of Saint James, Clerkenwell, Middlesex.	The steeple of the said church having long since fallen down, the churchwardens for the time being, notwithstanding divers admonitions from their ordinary, had neglected to rebuild it. Dr. Duck, Chancellor of London, ordered to call the church-wardens before him and judicially admonish them to repair the steeple by Michaelmas next; and if they neglect to do so the court will proceed ex officio against them as in a cause of contempt.
July 11.	fol. 232 *b.*	Sybil Bowen, of St. Mary Magdalen's Parish, London, widow.	Ordered that unless she enter bond with sufficient security to appear by her procurator within six days after notice is given him for her appearance to hear sentence, within a month after her sight hereof, she shall be attached and detained in safe custody till she do so.
July 13.	fol. 232.	Will. Crane, clerk, of Irtlingborough, co. Northampton.	The attachment formerly extracted against him for nonpayment of costs ordered to stand in force and be executed in accordance with his Grace's [Archbishop Laud's] pleasure signified to the Commissioners.
	fol. 232 *b.*	Lewis Smeath, of Aynsford [Aylesford?], Kent.	The cause dismissed, he being reconciled to his wife.
July 16.	fol. 233.	Sir [Edward] Powell - -	Witnesses for the prosecution produced and sworn.
July 18.		Tho. Philpott, a churchwarden of the parish church of Eastry, Kent.	Appeared in the custody of a messenger and was sworn. To be examined before being let out of custody.

Acts of the Court of High Commission.

1640.			
July 20.	Vol. ccccxxxiv. fol. 233.	Christopher Ayres - - -	Receipt by Mabel Ayres for 5*l.* 10*s.* alimony paid by her husband to her use into the registry of the court, and received from Thos. Maydwell, public notary.
July 21.		Sir Edward Powell - -	Witnesses for the prosecution produced and sworn.
Aug. 7.	fol. 234.	Richard Smith - - -	Receipt of Elizabeth wife of Richard Smith for 5*l.* alimony received from the hands of Thomas Maydwell.
Aug. 12.		Sir Edward Powell - -	Witnesses for the prosecution produced and sworn.
Aug. 14.		Do.	Do.
Sept. 7.	fol. 235.	Henry Hunt, William Crowther, and John Wright, now or lately churchwardens of St. Martin's Outwich, London.	Being apprehended by warrant from this court for their contempt in not collecting and bringing into the registry 93*l.* for the use of Richard Baker, joiner, promoter of this cause, according to the sentence of the court; they appeared personally and entered bond for 200*l.* for their personal appearance at Lambeth the first court day of Michaelmas term and so were discharged from custody.
Oct. 1.	fol. 234.	Mary wife of Paul Williams -	Witnesses for the defence produced and sworn.
Oct. 6.		Do.	Do.
Oct. 2.	fol. 235.	Isaac Ledenois promoted by Elizabeth his wife.	The petition of Mrs. Ledenois to the Archbishop of Canterbury was referred to Dr. Ryves to compose their differences, or else to be proceeded in in court. Defendant not appearing upon warning given him was attached, and to-day in custody of a messenger of the court appeared and confessed he had been lawfully married to Mrs. Ledenois above 20 years; alleged he was to travel over into France to recover some debts due to him there; and offered to convey his property in Lutener-lane, Middlesex, to some friends to be named by his wife, for her use in his absence. On this being ordered he was released from custody.
Oct. 12.	fol. 236.	Richard Frank, of Hastings, Sussex	Appeared and was sworn.
12 [Oct.?]		Bulmer and Mary Proctor, of St. Alban's.	Appeared and were sworn.
Oct. 14.		Richard Wotton, clerk, rector of Warmington, co. Warwick.	William Pym, the promoter, appeared and was sworn.
		Samuel Hawkins, of Ewell, Surrey	Appeared and was sworn.
Oct. 15.		Richard Reeve, yeoman - -	The like.
		William Hodges - - -	The like.
		Edward Gerrard and Elizabeth Gerrard - - -	Witness for the defence produced and sworn.
	fol. 237.	Robert Hawkins and Joan Bach	Taxation of costs respited.
		John Tuckerman - - -	Taxation of costs. Appointed for next court day.

1640.

Acts of the Court of High Commission.

Oct. 15.	Vol. ccccxxxiv. fol. 237.	John Perrott - -	Taxation of costs. Appointed or next court day.
		John Wright, Henry Hunt, and William Crowther, of St. Martin's Outwich, London.	Defendants' counsel alleged they could prove by acquittances under promoter's hand that he received 35*l.* more than he acknowledges, besides the old materials of the church; and they had no knowledge of the hearing of the cause or they would have proved it at informations. They desire a fresh hearing, but the promoter's counsel objected and desired defendants might be forced to bring in the money adjudged due to promoter, or be attached. Defendants alleged they were not churchwardens now and so had no power to collect the money, but were ready to pay their own shares. Defendants ordered to be released and their bonds delivered to them; and the rate left in the office is to be shown to the rest of the parishioners who are to be required to pay accordingly.
	fol. 237 *b.*	John Pulton, Charles Cockaine, Thos. Andrews, and Will. Tresham, governors, and Francis Bowden, pretended master, of the hospital of Rothwell, co. Northampton.	Referred to the Bishop [Towers] of Peterborough, Sir John Lambe, Sir Nathaniel Brent, Dr. Aylett, and Dr. Mason, or any three of them, who are to certify his Grace of their opinion.
		Richard Blundell, gent., now or late of Westminster.	The cause is to be informed in and finally sentenced. Appointed for next court day.
		William Hooper, of Tarrington, co. Hereford.	The cause is to be informed in and finally sentenced.
		Richard Higgons.	The like.
		Francis Nicholls, of Faxton, co. Northampton, and Will. Clarke, clerk, curate of the same place.	Appointed for the first court day of Easter term.
	fol. 238.	The same Francis Nicholls in the second cause.	This cause was partly heard to day, and is to be finally sentenced the first court day of Easter term next.
		John Grills, Christopher Hawkey, and John Odgier.	The like.
		Henry Miller, clerk - -	The like.
		Richard Smith, of London, vintner, promoted by Elizabeth his wife.	The like.
		Laurence Wassold, of Smethcott, Shropshire.	The like, out of his answers.
	fol. 238 *b.*	Sir Richard Samwell, of Upton, co. Northampton.	The like.
		George Parker, clerk, rector of Dunnington, co. Lincoln.	The like.
		George Sanders, of Yatton, Somerset.	The like.
		William Pinson, of Birmingham, co. Warwick.	The like.
		Sir Patrick Abercromby - -	The like.
		William Ackson, clerk, vicar of Painswick, co. Gloucester.	The like.

Acts of the Court of High Commission.

1640.

Oct. 15.	Vol. ccccxxxiv. fol. 239.	Robert Tomkins, of Alresford, Hants.	The cause is to be informed in and finally sentenced.
		Will. Waterman, clerk, curate of Milston, Wilts.	The like.
		David Edwards and others -	The like.
		Edward Allein - - -	The like, out of his answers.
		Robert Moorecroft, Henry Featley and Richard Pann.	The like. Appointed for next court day.
	fol. 239 *b.*	Richard Hawkins and Richard Weaver, of Buckland Dingham, Somerset.	The cause is to be informed in and finally sentenced.
		Sir John Drydon, Lady Kingsmill, widow, and Elizabeth Gibbs.	The like.
		Edmund Prideaux and Charles Vaughan.	Appointed for next court day.
		Lewis Smeath, of Aynsford, Kent	The like.
		Hugh Pitcher - - -	He having paid his wife no alimony since June 10 last she desires an attachment for the money, and that further maintenance may be allowed her. Referred to Dr. Duck, who is to consider it and report next court day.
	fol. 240.	Thomas Shelton, Ralph Mabb, and John Dawson, booksellers.	Allowed till next court day to consider their answers.
		Francis Grove, of London, stationer.	Appointed for next court day.
		Edward Gerrard, and Elizabeth wife of John Gerrard.	They were ordered to prove their defence by this day. Publication decreed.
		Oliver Andrews, of Sudbury, Suffolk.	Appointed for next court day.
	fol. 240 *b.*	Samuel Geffard and Edward Gilbert, churchwardens of St. James, Clerkenwell.	The like.
		Edward Tresham - -	To proceed to proof.
		James Rollocke - -	The like.
		Robert Chamberlain, of the parish of St. Andrew's, Holborn.	Appeared and was sworn.
	fol. 241.	Adrian Henrix, merchant -	His bond to be certified [if he appear not] by next court day.
		John Garbrand and Martha his wife, and Elizabeth Staines, widow, of Southwark.	They are monished to appear this day and certify of their conference with Dr. Featley touching the lawfulness of the oath ex officio.
		Roger Quartermaine, Will. Ford, Thos. Teballs, William Russell, and Will. Shambrooke.	The like.
		John Vicars, of Christ Church, London.	Examined. Licensed to appear by his protector.
	fol. 241 *b.*	Enoch Howert, late prisoner in the White Lion.	He is to appear by virtue of his bond.
		Thomas Lambe, late prisoner in the Fleet.	The like.
		Daniel Votier, clerk - -	It was referred to Sir Nath. Brent to consider the sufficiency of his answers.
		Thos. Robinson, of Coventry -	Appointed for next court day.
	fol. 242.	John Savage, of London - -	[His bond to be certified] if he appear not by next court day.

1640. ACTS OF THE COURT OF HIGH COMMISSION.

Oct. 15.	Vol. ccccxxxiv. fol. 242.	William Beale, S.T.P., of Cambridge University.	The promoters of the complaints against him in the last Parliament are monished to appear this day to exhibit the same in articles.
		Joan Robbins wife of John Robbins, of Southwark.	To consider her answers by next court day.
		Thomas Good, clerk, and Agnes Good, *alias* Barnard.	Promoter's commission renewed on promise of its being returned before next court day.
	fol. 242 *b.*	Peter Brunctiere, a Frenchman -	Dismissed.
		Thomas Wiborough, clerk, rector of Pebmarsh, Essex.	Publication decreed, and the cause assigned to report.
		Francis Buckland and Richard Norton.	Appointed for next court day.
		William Ingolsby, vicar of Brigstock, co. Northampton.	Attachment decreed if he be not repeated before next court day.
		Nicholas Jackson, of the same	The promoter was ordered to take out and return his commission by this day.
	fol. 243.	Robert Hazlewood, clerk - -	He was ordered to make all proofs upon his defence by this day. The counsel for the defence disputing this assignation, it was referred to Informations to ascertain whether the assignation be right or no; if right, the cause to be assigned to report.
		John Enewes, rector of Bilton, co. Warwick.	Referred to Dr. Duck and Dr. Eden, touching a mistake of the name Edward for Edmund in the original articles; they are to certify next court day.
		Henry Morgan, clerk - -	He was ordered to put in his defence by this day.
		Tristram Hinchliffe, vicar of Timberland, co. Lincoln.	Respited till next court day.
	ol. 243 *b.*	Thomas Cotton and Dorothy Thornton.	Having been four years imprisoned in Stafford Gaol for not performing their penance, paying promoter's charges, and the fine imposed to his Majesty's use, defendants petition for remission of their penance. Attachment decreed till they perform the sentence, and the certifying of their bond respited till next court day.
		Henry Garrett, Will. Cobb, and others, parishioners of St. Bartholomew the Great, London.	Garrett and Cobb were decreed excommunicate for not paying the parish clerk's wages according to the court's order, and the excommunication against them is denounced and returned to consider.
		Arthur Coleman and Will. Rashleigh, apparitors.	Appointed for next court day.
		George Hagar and others -	The like.
	fol. 244.	William Covell and Robert Ingram, of St. Ives, co. Huntingdon.	Publication was introduced.
		Will. Rosse - - - - -	Appointed for next court day.
		Francis Folliott, rector of Barkswell, co. Warwick.	The like, to hear the will of the court concerning fuller answers.

Acts of the Court of High Commission.

1640.			
Oct. 15.	Vol. ccccxxxiv. fol. 244.	Sir Edward Powell - - -	Commission decreed for examination of witnesses on the part of the office. Referred to Sir Nathaniel Brent and Dr. Wood, to consider concerning alimony and costs.
	fol. 244 *b*.	Daniel Berry, vicar of Knowstone-cum-Molland, Devon.	Publication decreed on the part of the promoter.
		John Powell and Joan his wife -	Publication decreed.
		Lowry Owen, of Eglwys-fach, co. Denbigh.	Appointed for next court day.
		William Sutton, S.T.P. - - -	The like.
	fol. 245.	Edward Kidd, clerk - -	Commission introduced.
		Robert Pierce, vicar of Aberdaron, co. Carnarvon.	Appointed for next court day.
		Concerning the repair of the chancel of the parish church of St. Mary Bourne, diocese of Winchester.	To stand over till next court day.
		James Betton, S.T.P., of Shrewsbury.	To consider the answers.
	fol. 245 *b*.	James Harris, his wife, and others	Appointed for next court day.
		Robert Theoderick - - -	If the defence be not put in by Allhallowtide the cause to be assigned to report.
		Robert Toop of Ugborough, Devon	Appointed for next court day.
		William Hill - - - -	The like.
	fol. 246.	George Harris, of St. Andrew's, Holborn.	The like.
		Sybil Bowen, widow - - -	To put in the defence by next court day.
		Edmund Eastcourt and Isaac Geering.	Appointed for next court day.
		Peter Ingram, clerk, of Desford, co. Leicester.	The like.
	fol. 246 *b*.	Thomas Bulwer and Mary wife of Samuel Proctor, of St. Alban's, Herts.	A suit having been commenced by promoter against defendants in the Court of Arches on the same articles as are exhibited in this cause, this cause was dismissed this court as far as regards Mary Proctor, to be heard by Sir John Lambe in the Arches; and as far as regards Bulwer, it was referred to Sir Jo. Lambe to consider and certify next court day whether the articles against him are fit to be retained in this court.
		Tho. Hamersley, of Botham, co. Stafford.	His bond to be certified if he appear not before next court day. Attachment decreed for her.
		Robert Motteram, of Calverton, Notts., yeoman.	Appeared and was sworn. Appointed for next court day.
		Richard Reeve, yeoman, of Irtlingborough, co. Northampton.	The like.
	fol. 247.	John Marston, clerk - -	He is to stand on his bond; and to consider his answers by next court day.

Acts of the Court of High Commission.

1640.			
Oct. 15.	Vol. ccccxxxiv. fol. 247.	Thomas Philpott and Tho. Woodham, of Eastry, Kent.	The counsel for the office to consider Philpott's answers before Monday next, and if they are full enough his bond is to be delivered him and he licensed to appear by proctor.
		Samuel Hawkins, of Ewell, Surrey	Appeared and was sworn. Appointed for next court day.
		James Andrewes and Elizabeth his wife, of Cambridge.	Appointed for next court day.
	fol. 247 *b.*	Oliver Chiver, clerk, of Merthyr Dovan, co. Glamorgan.	Attachment decreed if he appear not by next court day.
		Will. Smith, Thos. Wortham, and Thos. Wortham, jun., of Massingham Magna, Norfolk.	Thos. Wortham, jun., dismissed with costs, to be taxed next court day. The other defendants appeared and were sworn.
		John Donnell, clerk, of Bulmer, Essex.	Appointed for next court day.
		Richard Frank, clerk, of Hastings, Sussex.	Referred to Sir Nathaniel Brent to certify before next court day.
	fol. 248.	—Walker, of Martham, Norfolk -	A commission for answers on both sides decreed.
		Richard Pavy and Mary wife of John Joselin.	Publication decreed.
		Edmund Reeve, clerk - -	Monition to bring in an order of the Bishop of Ely and Dr. Eden's by next court day.
	fol. 248 *b.*	[Fulk] Goldsmith and others -	Attachment against the witnesses if they appear not by next court day.
		William and Joseph Alliston -	Intimation of 10*l.* decreed if they appear not before next court day.
		John Pitman - - - -	Appointed for next court day.
		John Crocker - - -	Commission for his answers decreed, returnable the first day of next term.
	fol. 249.	William Sherman and Elizabeth Rawlins.	Appointed for next court day.
		Richard Hill and Mary Wilkinson	Defendants petition for a sufficient prosecutor, or the cause to be dismissed. Referred to Informations for consideration.
		Mary Williams - - -	Publication decreed.
		Robert King, yeoman - -	Appeared and was sworn.
	fol. 249 *b.*	Thomas Wild - - -	Referred to Informations to consider the nature of this cause; a sufficient promoter to be put in before next court day.
		Simon Sloper, of Bath - -	Appointed for next court day, and an attachment decreed.
		Thomas Barnard and Sarah Baylie, of Middlesex.	The like.
		Sybil Bowen, widow, of St. Mary Magdalene's Parish.	She was ordered to put in her defence by this day.
	fol. 250.	Sir Edmund Plowden - -	Nothing done.
		Edward Shove, clerk - -	Compulsory decreed against Dr. Argent and Hardwick.
		Sir Wiliam Elwis, Mrs. Ratcliff, widow, and her son.	Attachment decreed.

Acts of the Court of High Commission.

1640.			
Oct. 15.	Vol. ccccxxxiv. fol. 250.	Miles Birkett	Appointed for next court day.
	fol. 250 *b.*	William Lovelcdge, clerk	Appeared in the messenger's custody and was sworn.
		Jeremiah Whitworth	A motion by Dr. Rives.
		John Symonds and Elizabeth Ramsey, *alias* Browne.	To be attached if they appear not by next court day.
	fol. 252.	Henry Hunt, William Crowther, and John Wright.	Note that defendants had paid their share of the tax levied on St. Martin's Outwich Parish for repair of the church; they are discharged without costs and their bonds delivered to them.
Oct. 19.		Edward Kydd, clerk	Witnesses for the defence produced and sworn.
		Francis Grove	Promoter ordered to bring in all the defendants mentioned in the original articles and proceed against them in the court; and to take out all compulsories and make all his proofs against Grove before the next court day but one, or the cause to be utterly dismissed.
		Sir Edward Powell	Witness for the prosecution produced and sworn.
Oct. 20.	fol. 252 *b.*	Do.	Do.
Oct. 21.		William Sherman, of West Walton, Norfolk.	Appeared and was sworn.
Oct. 22.	fol. 254.	Robert Hawkins and Joan Bach	Taxation of costs.
		John Tuckerman, yeoman	The like against the promoter.
		John Perrott	The like.
	fol. 254 *b.*	George Parker, clerk, B.D.	Appointed for the second session of next term.
		Richard Blundell, gent., now or late of Westminster.	Appointed for next court day.
		William Hooper, of Tarrington, co. Hereford.	The like.
		Richard Higgins	The like.
	fol. 255.	John Grills, Christopher Hawkey, and Thos. Odgier.	The like.
		Henry Miller, clerk	The like.
		Richard Smith, gent., promoted by his wife.	The like.
		Laurence Wassold	The like.
	fol. 255 *b.*	Sir Richard Samwell	The like.
		George Sanders, of Yatton, Somerset.	The like.
		William Pinson, of Birmingham	The like
		Sir Patrick Abercromby	The like
	fol. 256.	Will. Ackson, vicar of Painswick, co. Gloucester.	The like.
		Robert Tomkins, of Alresford, Hants.	The like.
		Will. Waterman, clerk	The like. Appointed for next court day.
		David Edwards and others	The like.

Acts of the Court of High Commission.

1640.			
Oct. 22.	Vol. ccccxxxiv. fol. 256 *b.*	Edward Allein, gent. - -	Monition to attend and hear judgment.
		Robert Moorecroft, Henry Featly, and Richard Pann.	The cause to be heard next court day or be dismissed.
		Richard Hawkins and Richard Weaver.	The like.
		Sir Jonn Drydon and others -	The like.
	fol. 257.	Lewis Smeath - - -	Appointed for next court day.
		Hugh Pitcher - - -	The like.
		Thos. Shelton, Ralph Mabb, and John Dawson.	To proceed to proof, and a commission decreed.
		Francis Grove, of London, stationer, and others.	It was referred to Sir John Lambe to set down order in this cause. It is ordered.
	fol. 257 *b.*	Edward Gerrard and Elizabeth wife of John Gerrard.	Ordered to be answered by next court day.
		Oliver Andrews, of Sudbury, Suffolk.	Appointed for next court day.
		Robert Chamberlain, of St. Andrew's Parish, Holborn.	To be attached if not examined within three days.
		Adrian Henrix, merchant - -	Appeared and was sworn.
	fol. 258.	Daniel Votier - - -	It was referred to Sir Nath. Brent to consider the sufficiency of his answers; the reference continued to next court day.
		Thos. Robinson, of Coventry -	Publication decreed.
		Joan Wife of John Robbins -	Appointed for next court day.
		Thos. Good and Agnes his wife -	The affidavit has been made; promoter's commission renewed.
	fol. 258 *b.*	Thomas Wiborough, clerk -	Respited till next court day.
		Francis Buckland and Richard Norton.	The like.
		Nicholas Jackson - - -	Assigned to report if promoter produce not his witnesses by next court day.
		Robert Hazlewood, clerk - - -	Commission decreed.
	fol. 259.	John Enewes, clerk, rector of Bilton, Warwick.	To be reformed quoad testes, and a commission decreed.
		Henry Morgan, clerk - -	Defence admitted; to be proved before the first court day of Candlemas term next.
		Tristram Hinchliff, clerk - -	To be attached if he pay not the 7*l.* costs retardati processus by next court day.
		Thomas Cotton and Dorothy Thornton.	Their bonds to be certified if they perform not their penance by the first session of next term.
	fol. 259 *b.*	Henry Garrett, Will. Cobb, and others, parishioners of St. Bartholomew the Great, London.	Garrett and Cobb were pronounced excommunicate for not paying their parish clerk's wages according to the court's order, and the excommunication is denounced and returned. To hear the will of the court.
		Arthur Coleman and Will. Rashleigh.	A monition to hear sentence next court day.

Acts of the Court of High Commission.

1640.			
Oct. 22.	Vol. ccccxxxiv. fol. 259*b*.	George Hagar and others - -	Appointed for next court day.
		William Covell and Robert Ingram.	To put in their defence within three weeks, and to proceed to proof the second court day of next term.
	fol. 260.	Will. Rosse, gent. - - -	Appointed for next court day.
		Francis Folliott, rector of Barkswell, co. Warwick.	To hear the pleasure of the court next court day concerning the sufficiency of the answers to the first and fifth articles; a commission decreed.
		Sir Edward Powell - -	Witnesses produced.
		John Powell and Joan his wife -	Defendants had till to-day to return the commission for their answers.
	fol. 260 *b*.	Lowry Owen, of Eglwys-vach, co. Denbigh.	Commission for defendant's answers was introduced.
		William Sutton, S.T.P. - -	Appointed for next court day.
		Edward Kidd, clerk - -	Examination of witnesses. Publication decreed.
		Robert Pierce - - -	Appointed for next court day.
	fol. 261.	Concerning the repairs of the chancel of the parish church of St. Mary Bourne.	The like.
		James Betton, S.T.P. - -	The like.
		James Harris, his wife, and others, of Abergavenny, co. Monmouth.	Commission introduced, to consider their answers by next court day.
		Robert Toop, of Ugborough, Devon, and John Crocker.	The counsel for the office had till to-day to consider Toop's answers.
	fol. 262 *b*.	George Harris - -	Appointed for next court day.
		Sybil Bowen, widow - -	Her defence introduced.
		Edmund Eastcourt and Isaac Geering.	Appointed for next court day.
		Peter Ingram, clerk - -	To be examined within a week, or an attachment decreed.
	fol. 263.	Thos. Bulwer and Mary Proctor	Appointed for next court day.
		Thos. Hamersly and Elizabeth Hamersly, *alias* Agard his wife.	An attachment decreed if she appear not by next court day, and his bond to be certified.
		Robert Motteram, of Calverton, co. Nottingham.	Appointed for next court day.
		Richard Reeve - - -	He is examined.
	fol. 263 *b*.	John Marston, clerk, late of Canterbury.	Admonished to appear next court day, and his answers to be considered.
		Thos. Woodham, of Eastry, Kent, miller.	To consider his answers.
		Samuel Hawkins - -	To be attached if he be not examined by next court day.
		James Andrews and Elizabeth his wife, of Cambridge.	They were ordered to prove their defence by this day.
	fol. 264.	Oliver Chiver, clerk - -	To answer by his proctor before next court day.
		Will. Smith and Tho. Wortham, of Massingham Magna, Norfolk.	To consider their answers by next court day; and if sufficient [to be heard]: appointed for next court day.
		Jo. Donnell, vicar of Bulmer, Essex.	His bond was to be certified if he appeared not this day.
		Richard Pavy and Mary Joselin -	To consider by next court day.

1640. ACTS OF THE COURT OF HIGH COMMISSION.

Oct. 22.	Vol. ccccxxxiv. fol. 264 *b*.	Fulk Goldsmith, John Wells, and William Plummer.	The promoter's witnesses ordered to be attached.
		William and Joseph Alliston -	Attachment decreed.
		Christopher Withens - -	Withens having, according to a former order of the court, paid 200*l*. into the Registry for maintenance of his wife and children, the cause was since dismissed, and his wife ordered to return home to him. He now desires the 200*l*. to be delivered to him again, which motion was referred to the Commissioners at Informations.
		Mary wife of Paul Williams -	Publication of witnesses for the defence decreed, and copies assigned to both sides ; and the cause assigned to report.
	fol. 265.	Edward Gerrard and Elizabeth wife of John Gerrard.	The witnesses on both sides are published ; and a motion by Dr. Rives.
		John Pitman - - -	Commission decreed.
		William Sherman - -	Appointed for next court day.
		Richard Hill and Mary Wilkinson.	The like.
	fol. 265 *b*.	Thos. Wild, clerk - - -	The Commissioners at Informations this day ordered Wild to answer the additionals ; and that sufficient bond should be given before next court day for proof of the articles and additionals.
		Simon Sloper, of Bath - -	To be attached for non-appearance.
		Thomas Barnard, of St. Martin's-in-the-fields, and Sarah Baylie, of Wandsworth, Surrey.	The like.
		John Symonds and Elizabeth Ramsey, *alias* Brown.	The like.
	fol. 266.	Richard Benion, of Coggeshall Magna, Essex.	To be attached if he appear not by the second court day following.
		Richard Wotton, clerk - -	Appointed for next court day.
		Edmund Reeve, clerk - -	He was monished to bring in the order made by the Bishop of Ely and Dr. Eden this day. It is brought in : to consider.
		Edward Shove, clerk - -	The cause to be continued.
		Thomas Philpott, yeoman -	Referred to the Commissioners at Informations.
		Christopher Ayres - - -	A motion by Dr. Merrick.
Oct. 23.	fol. 267.	Francis Grove, stationer, and others.	Witnesses for the promoter produced and sworn.
Oct. 31.	fol. 252 *b*.	Sir Edward Powell - -	Lady Mary wife of Sir Edward Powell was sworn, and gave in her written answers to his allegation.
Nov. 6.	fol. 267.	John Simonds, of St. Clement Danes Parish, Middlesex.	Appeared and was sworn.
	fol. 268.	Robert Hawkins and Joan Bach	Appointed for next court day.
		John Tuckerman -	He is dead.
		John Perrott - - -	The promoter is dead.

Acts of the Court of High Commission.

1640			
Nov. 6.	Vol. ccccxxxiv. fol. 268.	Robert Moorecroft, Henry Feately, and Richard Pann.	His Grace [Archbishop Laud] is to be further informed in the cause, and it is to be heard the second court day of next term.
	fols. 268 *b.*–270.	Richard Blundell William Hooper, of Tarrington Richard Higgons John Grills, Thomas Odgier, and Christopher Hawkey. Henry Miller, clerk Richard Smith Laurence Wassole Sir Richard Samwell Geo. Sanders, of Yatton Will. Pinson Will. Ackson, clerk Robert Tomkins, of Alresford, Hants. Will. Waterman, clerk	These causes were appointed to be informed in and finally sentenced this day, but now are not to be entered unless any one desire that they may be heard.
	fol. 270.	David Edwards and others, parishioners of St. Martin Orgars, London.	The counsel for the office are to take out of the books what notes they will have transcribed, and then the books to be delivered.
		Edward Allein, gent.	To be informed in and finally sentenced out of his answers this day.
		Richard Hawkins and Richard Weaver.	Appointed for the first session of Easter term by consent.
	fol. 270 *b.*	Sir Jo. Drydon and others	The cause is to be informed in and finally sentenced.
		Arthur Coleman and William Rashleigh.	The like out of his answers.
		Lewis Smeath	It was referred to the Bishop of Rochester to set down order in this cause.
		Hugh Pitcher	Referred again to Dr. Duck.
		Francis Grove and others	Witnesses produced; a compulsory decreed against William Eales and Winter.
	fol. 271.	Edward Gerrard and Elizabeth Gerrard.	Publication decreed and assigned to report.
		Oliver Andrews	Appointed for next court day.
		Robert Chamberlain	The like.
		Adrian Henrix, merchant	The like.
	fol. 271 *b.*	Daniel Votier	It was referred to Sir Nathaniel Brent to consider the sufficiency of his answers.
		Tho. Robinson, of Coventry	A defence to be put in this term, and to proceed to proof by next term.
		Francis Buckland and Richard Norton.	The defence admitted, and promoter to answer it.
	fol. 272.	Nicholas Jackson, of Brigstock, Northamptonshire.	Referred to Informations to consider whether the cause is to be retained or dismissed, the promoter having made no proof of the articles.
		Tristram Hinchliff, clerk	Attachment decreed.
		Henry Garrett, William Cobb, and others.	Appointed for next court day.
		Geo. Hagar and others	The commission to be opened.
	fol. 272 *b.*	Francis Folliott, clerk	If he answer not fully the first, second, and fifth articles before next term he is to be called to make fuller answers in person.

Acts of the Court of High Commission.

1640.			
Nov. 6.	Vol. ccccxxxiv. fol. 272 *b*.	Sir Edward Powell - -	Consideration of the matters of alimony and costs of suit referred to Sir John Lambe, Sir Nath. Brent, and Dr. Wood. Crumpe to be monished to be examined, and the question if fuller answers referred to Informations.
		John Powell and Joan his wife	The counsel for the office had till this day to consider their answers.
		Lowry Owen, of Eglwys-vach, co. Denbigh.	Referred to the Commissioners at Informations to dismiss or retain the cause.
	fol. 273.	Will. Sutton, S.T.P. - -	To be assigned to report if publication be not made before next court day.
		Edward Kidd, clerk - -	The cause stayed, pending sentence in a cause of marriage against defendant in the ecclesiastical court at Nottingham.
		Robert Pierce, clerk - -	To consider their answers within three days.
		Concerning the repair of the chancel of the parish church of St. Mary Bourne, diocese of Winchester.	To stand over.
	fol. 273 *b*.	James Betton, S.T.P., of Shrewsbury.	Appointed for next court day.
		James Harris, his wife, and others	The like.
		George Harris - - -	The like.
		Sybil Bowen, widow - -	The like, to hear the pleasure of the court.
	fol. 274.	Edmund Eastcourt and Isaac Geering.	The like.
		Peter Ingram - - -	To be attached for not having been examined.
		Thomas Bulwer and Mary Proctor	To hear the pleasure of the court next court day.
		Tho. Hamersly and Elizabeth Hamersly, *alias* Agard, his pretended wife.	Attachment decreed for non-appearance.
	fol. 274 *b*.	John Marston, clerk, late of Canterbury.	The counsel for the office to consider his answers within three days, and he to attend next court day.
		Samuel Hawkins, of Ewell, Surrey	He was monished to be examined before this day.
		James Andrews and Elizabeth his wife.	They were ordered to make all proofs on their defence by this day.
		Oliver Chiver, clerk - -	His proctor to answer the exhibits on oath; defendant to get his defence admitted within a fortnight, and then he is licensed to appear by proctor; and to prove his defence by the first court day of next term.
	fol. 275.	John Donnell, clerk - -	His bond to be certified for non-appearance.
		Christopher Withens - -	The former rule to stand.
		William Sherman and his wife -	Both to be attached.
		Richard Hill and Mary Wilkinson	A promoter to be found by next court day.
	fol. 275 *b*.	Tho. Wild, clerk - - -	Witness produced; and to consider by next court day.

Acts of the Court of High Commission.

1640.			
Nov. 6.	Vol. ccccxxxiv. fol. 275*b*.	Richard Wotton, clerk - -	Appointed for next court day.
		Edmund Reeve - - -	The like.
		Edward Shove - - -	The like.
	fol. 276.	John Simonds - - -	To be examined by next court day.
		Sir William Faunt and others -	Publication decreed quoad vivos.
		Mary Williams - - - -	The cause assigned to report.
		Richard Benion - - -	The cause stayed.
	fol. 276 *b*.	Robert Baylie - - -	Publication decreed. To hear the will of the court whether the promoter be sufficient.
		Thomas Wright and Judith his wife.	Attachment decreed against his wife.
		William Loveledge - -	Dr. Lewen's motion rejected.
		Richard Reeve, of Irtlingborough, co. Northampton.	The court assigned to hear the opinion of the Commissioners at the next Informations.
	fol. 277.	Christopher Ayres -	To be attached for the arrears of alimony unpaid, and referred to Informations whether he is to be condemned in costs of suit or no.
		William Sherman - - -	A motion by Dr. Talbot.
		William Rosse - -	To hear the pleasure of the court whether his answers be full enough.
		William Ingoldsby, clerk - -	To consider his answers by next court day.
	fol. 277 *b*.	Jane Glover, spinster - - -	An attachment by next court day on affidavit that she has fled.
		William Doggett, of Claptonswick, Somerset.	Attachment decreed.
		Robert Kercher, S.T.P., and others	Publication decreed.
		James Tompson - - -	The defence to be brought in by next court day.
		James Rawson, clerk - -	Appointed for next court day to hear the will of the court.
	fol. 278.	Daniel Berry, clerk - -	To answer the two articles exhibited by next court day; a commission decreed.
		Thos. Wortham, jun. - - -	Mr. Pooley was monished to pay 4*l*. costs by this day.
		Thomas Wiborow, clerk - -	Referred to the Commissioners at Informations, to consider about a witness not fully examined but desired to be so, and also whether a certain disputed book should be used as evidence. Defendant ordered to give in his defence before the end of this term, and to make all proofs upon it before the first court day of next term.
	fol. 279.	Thomas Steward and Grace his wife.	This day Archbishop Laud referred this cause to any three of the Commissioners for final dismissal. Sir John Lambe, Dr. Gwynn, and Dr. Wood considered it, and finding that defendants had been convented by their ordinary for incontinence before marriage, and had performed the public penance enjoined on them, they dismissed the cause.

1640. ACTS OF THE COURT OF HIGH COMMISSION.

Nov. 12.	Vol. ccccxxxiv. fol. 279*b*.	Sir Edward Powell - -	Witness for the prosecution produced and sworn.
	fol. 280.	Robert Hawkins and Joan Bach -	This cause not to be entered any more unless it be called upon.
		David Edwards and others -	Appointed for next court day.
		Edward Allein - - -	The like.
		Edward Gerrard and Elizabeth wife of John Gerrard.	Promoter's brief to be brought in by next court day, when the cause is to be finally sentenced.
	fol. 280 *b*.	Sir John Dreydon - -	To be informed in and finally sentenced the first session of Easter term.
		Arthur Coleman and William Rashley.	Costs taxed at 8*l*. to be paid by the feast of Wulfstan next [Jan. 19].
		Lewis Smeath - - -	Appointed for next court day.
		Hugh Pitcher - - -	The like.
	fol. 281.	Francis Grove, of London, and others.	Attachment decreed against Winter and Eales.
		Oliver Andrews - - -	Appointed for next court day.
		Robert Chamberlain - -	To be attached if he be not examined by Tuesday.
	fol. 281 *b*.	Adrian Henrip - - - -	The like.
		Thomas Wiborough, clerk -	The book in dispute not to be used as evidence, and the promoter's witness not to be re-examined.
		Francis Buckland and Richard Norton.	Appointed for next court day.
	fol. 282.	Nicholas Jackson, of Bridgestock, co. Northampton.	A new commission granted, if it be taken out before the end of this term, returnable the second session of next term.
		Henry Garrett and others, of the parish of St. Bartholomew the Great, London.	Garrett and Cobb are absolved, November 13th, 1640.
		George Hagar and others - -	Publication decreed.
		Sir Edward Powell - -	Referred to Sir John Lambe, Sir Nath. Brent, and Dr. Wood, to do therein as they think fit.
	fol. 282 *b*.	John Powell and Joan his wife -	Appointed for next court day.
		Lowry Owen - - -	To proceed to proof and a commission decreed, returnable the second session of Hilary term.
		William Sutton, S.T.P - -	Publication decreed.
		Robert Pierce, clerk - -	Appointed for next court day.
	fol. 283.	James Betton, S.T.P. - -	To proceed to proof.
		James Harris, his wife, and others	Appointed for next court day.
		George Harris - - -	The like.
	fol. 283 *b*.	Sybil Bowen, widow - -	Her defence admitted.
		Edmund Eastcourt and Isaac Geering.	Appointed for next court day.
		Thomas Bulwer and Mary Procter	It was referred to Sir John Lambe to set down order in this cause.
		Thomas Hamersly and Elizabeth Hamersly, *alias* Agard.	Nothing done.
	fol. 284.	John Marston, clerk - -	Appointed for next court day.
	fol. 284 *b*.	James Andrews and Elizabeth his wife.	The like.

Acts of the Court of High Commission.

1640.			
Nov. 12.	Vol. ccccxxxiv. fol. 284 *b.*	Richard Hill and Mary Wilkinson	Referred to some of the Commissioners.
		Thomas Wild, clerk - -	Commission decreed, returnable the second session of next term; to hear the court's pleasure for a promoter, and a compulsory decreed for witnesses in town.
	fol. 285.	Richard Wotton, clerk - -	Publication decreed if the witness be examined before next court day.
		Edward Shove - - -	Appointed for next court day.
		John Simonds, of St. Clement Danes Parish.	Opening of the commission is decreed.
	fol. 285 *b.*	Mary Williams - - -	To bring in her brief before next court day, when the cause is assigned to report.
		Robert Baily - - -	The defence to be brought in by the last court day of this term.
		Richard Reeve - - - -	Appointed for next court day.
		Christopher Ayres - -	The cause stayed.
	fol. 286.	William Rosse - - - -	Appointed for next court day.
		William Ingoldsby, clerk -	The like.
		James Rawson, clerk - -	Letter ordered to be written to Mr. Trigonnell to pay Rawson 6*l.* for a quarter's wages due last Lady Day for serving the cure of Milton Abbas.
		Daniel Berry, clerk - -	Appointed for next court day.
	fol. 286 *b.*	Richard Benion, of Coggeshall, Essex.	To be attached if he appear not before Saturday.
		Edmund Thomas, of Westram, Kent.	The briefs to be put in by the last court day of this term; he is to be called to hear judgment the second session of next term.
		James Thompson - -	Referred to any of the Commissioners to admit the defence.
		William Hill, of Longdon, co. Worcester.	The cause dismissed. Referred to Dr. Duck to consider whether defendant shall have costs or no.
		[John] Tuckerman - -	Taxation of costs appointed for the second session of next term.
	fol. 287.	[John] Perrot, yeoman - -	The like.
		Thomas David, of Caron, co. Cardigan.	Appointed for next court day.
		Richard Frank, clerk, of Hastings, Sussex.	The counsel for the office informed that defendant in his answers had confessed so much cruelty and mis-usage of his wife it was not safe for her to live with him, and therefore he desired he might be condemned in costs and alimony to her; which the court held reasonable, and referred it to the Commissioners at Informations to tax the same. Also, defendant having used his wife worse than ever since the exhibition of the original articles, additional articles were desired to be admitted concerning it; the court referred the admission of the additionals to any of the Commissioners on affidavit of the truth thereof.
	fol. 287 *b.*	William Hodges, of London -	To be attached if he be not examined before Monday.

Acts of the Court of High Commission.

1640.			
Nov. 12.	Vol. ccccxxxiv. fol. 287 *b.*	Shipley, Mackernes, and others, of St. Thomas the Apostle's Parish, London.	Referred to the Commissioners at Informations to consider whether the books of accounts of the said parish should be delivered to the parishioners or no; and whether Mackernes is to be attached for not returning a perfect account.
		Lancelot Copleston, of Alverdiscott, Devon.	Appeared and was sworn. Attachment decreed.
		William Smyth and Thomas Wortham.	Counsel for the office desired the cause might go to report on defendant's answers, but their counsel desired time to propound their defence. Referred to the Commissioners at Informations.
	fol. 288.	Simon Sloper, of Bath - -	Appeared, was sworn, and admonished to be examined by next court day.
		Robert Kene, clerk, and Elizabeth his daughter.	Monition to the sureties to bring in the daughter.
		John Kelly, M.A. - -	Appointed for next court day.
		The parishioners of Gislingham, Suffolk.	The certificate of their repairing the steeple is brought in.
	fol. 288 *b.*	Edmund Petty - - -	Appointed for next court day.
Nov. 14.	fol. 279 *b.*	Sir Edmund Powell - -	Witness produced and sworn.
	fol. 288 *b.*	James Benion, of Coggeshall, Essex.	Appeared, was sworn, and admonished to be examined before next court day.
		Sir Edward Powell - -	He is condemned in costs of suit. The taxation of costs, alimony, and fuller answers assigned to be heard on Monday.
	fol. 289.	Thomas Steward and Grace his wife.	Copy of letters testimonial from Dr. Lewen, commissary to the Bishop of Norwich, defendant's ordinary, certifying that they had performed penance for their crime; and enclosing a copy of the said penance and certificate of its public performance. *See above, Nov.* 6, *fol.* 279.
Nov. 16.	fol. 290.	William Hayes, promoter for the office against Geo. Hagar, John Strange, and others.	Appeared and was sworn. The defendants' defence admitted.
		Sir Edward Powell - -	Taxation of alimony appointed for next court day at Informations.
Nov. 19.	fol. 291.	David Edwards and others -	Appointed for next court day.
		Edward Gerrard and Elizabeth wife of John Gerrard.	The like.
		Edward Allein - - -	The like.
	fol. 291 *b.*	Edmund Thomas, of Westram, Kent.	The like.
		Mary Williams - - -	The like.
		Lewis Smeath, of Rochester diocese	The like.
		Richard Benion, of Coggeshall Magna, Essex.	To be attached if he give not in his answers by Tuesday night next. Referred to any one of the Commissioners to consider if he is to be condemned in alimony and costs.
		Simon Sloper, of Bath - -	Appointed for next court day.

Acts of the Court of High Commission.

1640.			
Nov. 19.	Vol. ccccxxxiv. fol. 292.	Hugh Pitcher - - -	This cause having been long since referred to Dr. Duck and nothing done in it, it was again referred to Dr. Duck and Dr. Aylett, or either of them, to set down order in it.
		Francis Grove and others -	Witness produced and sworn; publication decreed.
		Oliver Andrews - - -	Nothing done.
	fol. 292 *b.*	Geo. Hagar and others - -	The promoter to answer defendants' allegation before next court day.
		Sir Edward Powell - -	Referred to next court day.
		John Powell and Joan his wife -	To proceed to proof.
	fol. 293.	Will. Sutton, S.T.P. - -	Nothing done.
		Robert Pierce, clerk - -	The counsel for the office had till this day to consider his answers.
		James Harris, his wife, and others	Appointed for next court day.
		Geo. Harris - - -	The like.
	fol. 293 *b.*	Edward Eastcourt and Isaac Geering.	The like.
		Tho. Hamersley and Elizabeth Hamersley, *alias* Agard.	The like.
		John Marston, clerk - -	Commission decreed, and to hear the pleasure of the court as to additionals.
		Robert Chamberlain - -	He is examined.
	fol. 294.	Richard Hill and Mary Wilkinson	It was referred to any of the Commissioners to set down order in this cause.
		Tho. Wild, clerk - - -	Commission decreed, and Ackson to be re-examined upon the additionals and new interrogatories.
		Richard Wotton, clerk - -	Assigned to report.
		Edward Shove, clerk - -	Attachment against Dr. Argent, Middleton, Layfield, and others.
	fol. 294 *b.*	John Simonds - - - -	To be attached if he be not examined before next court day.
		William Rosse - - -	To answer fully to the fifth, sixth, and twelfth articles.
		William Ingolsby, clerk - -	The counsel for the office had till this day to consider his answers.
	fol. 295.	Daniel Berry, clerk - - -	Hunt to be attached if he answer not by next court day.
		James Thompson - -	Appointed for next court day.
		Thos. David, of Caron, co. Cardigan.	The intimation of 20*l.* to be certified if he appear not before next court day.
		Shipley, Makerness, and others of St. Thomas the Apostle's Parish, London.	To make their accounts in the office and then to have the account book out; and to hear the pleasure of the court with regard to a promoter next court day.
	fol. 295 *b.*	William Smith and Tho. Wortham	Appointed for next court day.
		Robert Kene, clerk, and Elizabeth his daughter.	The sureties were ordered to bring Elizabeth Kene into court this day or to show cause why their bond should not be certified. The bond to be certified if they do not bring her in by the first court day of next term.
		John Kelly, M.A. - -	Appointed for next court day.

Acts of the Court of High Commission.

1640.			
Nov. 19.	Vol. ccccxxxiv. fol. 295 *b.*	Edmund Petty - - -	The cause dismissed.
	fol. 296.	William Hill, of Longdon, co. Worcester	Dismissed without costs.
		Joan Glover, now or late of Marton, Surrey.	No attachment.
		Anne Philips, of Hereford diocese, widow.	Commission decreed to take her answers.
		Edward Tresham - -	Assigned to report next court day.
	fol. 296 *b.*	James Rollock - - -	Assigned to report.
		David Rogers - - - -	Appointed for next court day to hear the will of the court.
		Robert Grosse, clerk - - -	Publication of witnesses decreed.
		James Andrews and Elizabeth his wife.	The cause dismissed and their bonds delivered up to them.
	fol. 297.	John Ivery, clerk - - -	Appointed to hear the pleasure of the court.
		William and Edward Kirton -	Appointed for next court day.
		Oliver Chiver, clerk - -	The defence to be considered by Tuesday, and Mr. Guy to answer it by next court day.
		James Andrews and Elizabeth his wife.	Defendants' counsel stating that they had been called into this court by Dr. Eden, and that they had given him full satisfaction concerning the matters complained of against them, the cause was dismissed as above.
	fol. 297 *b.*	Shipley, Leaves, and Makerness, church-wardens of St. Thomas the Apostle, London.	Fuller account of the proceedings noted above, fol. 295.
		Nicholas Jackson, of Bridgestock, co. Northampton.	The Commissioners at Informations being informed that the promoter, Mr. Ingoldsby, had lapsed his term probatory and that the matters contained in the articles were not fit for the cognizance of this court, but might fitly be heard before the Ordinary, the Court dismissed the cause and referred it to the Bishop of Peterborough, defendant's diocesan, to set down final order therein or to certify to the court.
Nov. 23.	fol. 298 *b.*	John Walker - - - -	Appeared and was sworn.
Nov. 26.		Richard Benyon, of Coggeshall, Essex.	Mrs. Benyon offered to live with defendant, her husband, if he would give good bond to use and maintain her well; but on his utterly refusing to give such bond, he was condemned in costs of suit to his wife, which were taxed at 10*l.*, and ordered to pay her alimony at the rate of 15*l.* a year, to be paid monthly and to commence from the date of the letters missive against him; under pain of attachment if he fail to pay either costs or alimony.
	fol. 299.	Sir Patrick Abercromby - -	Dismissed and his bonds to be redelivered to him; the court finding nothing proved worthy of their cognizance.
		David Edwards and others -	Appointed for next court day, and the briefs to be brought in the meantime.
		Edward Gerrard and Eliz. wife of John Gerrard.	The promoter's brief is brought in.

Acts of the Court of High Commission.

1640.			
Nov. 26.	Vol. ccccxxxiv. fol. 299 *b.*	Edward Allen - - -	Appointed for next court day.
		Edmund Thomas - - -	The like.
		James Rollock - - -	The like.
		Edward Tresham - - -	The like.
		Lewis Smeath - - -	The like.
	fol. 300.	Richard Benyon, of Coggeshall, Essex.	Dr. Wood's order [*see above, fol.* 298 *b.*] confirmed; and referred again to Dr. Wood to consider the sufficiency of his answers.
		Simon Sloper, of Bath - -	Appointed for next court day.
		Hugh Pitcher - - -	The like.
		Oliver Andrews - - -	The like.
	fol. 300 *b.*	George Hagar and others -	To be attached if he pay not the notary's expenses and put in his answer within a fortnight.
		Sir Edward Powell, promoted by Mary his wife.	Referred again to the Commissioners at Informations, or to any three of them, at any convenient time and place to allot and tax alimony to Lady Powell.
		Robert Pierce, clerk - -	Appointed for next court day.
		James Harris and his wife -	The like.
	fol. 301.	George Harris - - -	The like.
		Edmund Eastcourt and Isaac Geering.	The like.
		Thomas Hamersley and Elizabeth Agard, *alias* Hamersley.	Dr. Merrick alleged the cause to be agreed and desired it to be dismissed: he is to attend the Commissioners.
		Jo. Marston, clerk - - -	Additionals to be admitted quoad testes.
	fol. 301 *b* and 302.	The entries on these pages are crossed out.	
	fol. 302 *b.*	William Smith and Thomas Wortham.	Appointed for next court day.
		John Kelly, M.A. - - -	The Commissioners took time till this day to consider whether or no he shall be restored to the ministry. Appointed for next court day.
		David Rogers - - -	The cause dismissed.
		John Ivery, clerk - -	A monition to hear sentence.
	fol. 303.	Oliver Chiver, clerk - -	Appointed for next court day
		Richard Pavy and Mary wife of John Joseline.	The defence was ordered to be brought in by this day.
		Tho. Wiborough, clerk - -	The like: to go to report if the defence be not brought in within a fortnight.
		Robert Baylie, of Haughton, co. Stafford.	The defence is brought in. Commission decreed.
	fol. 303 *b.*	John Herbert, of Crickhowell, co. Brecknock.	Costs retardati processus taxed at 40*s.*, and to be paid Jan. 19.
		Robert Chamberlain - -	He is examined.
		Richard Hill and Mary Wilkinson -	A promoter has entered bond.
		Richard Wotton, clerk - -	The cause is assigned to report.
	fol. 304.	John Simonds, of St. Clement Danes Parish.	To be attached if he be not fully examined within a week.
		William Ingolsby, clerk - - -	Referred to the Ordinary.
		Daniel Berry, clerk - - -	The same commission for both.

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Acts of the Court of High Commission.

Nov. 26.	Vol. ccccxxxiv. fol. 304.	James Tompson - - -	To go to report if his defence be not admitted within a fortnight.
		Thomas David, of Caron, co. Cardigan.	The intimation of 20*l.* to be certified for his non-appearance.
	fol. 304 *b.*	Francis Folliott, clerk - -	Commission decreed, and to consider his fuller answers.
		John Hayman and others, parishioners of St. Saviour's, Southwark.	Appointed for next court day.
		John Walker, of Norwich diocese -	Consideration of a better promoter referred to the Commissioners at Informations, the present promoter being unable to pay defendant's costs in case he fail to prove the articles.
	fol. 305.	John Enewes, clerk - -	Copy of the additionals to be delivered to defendant's counsel within three days, the additionals to be admitted within a week following, and no commission to be taken out in the meantime.
		Lowry Owen, of Eglwys-vach, co. Denbigh.	Commission decreed.
		Thos. Robinson - -	The defence to be given in within a week, or the cause to go to report.
		Lancelot Copleston - -	Commission for his answers decreed and the attachment superseded, he paying 13*s.* 4*d.*
	fol. 305 *b.*	James Rawson - - -	The promoter, Tregonnel, dismissed, having paid into the Registry of the court the 3*l.* 6*s.* 8*d.* due to Rawson for a quarter's salary.
		William Ackson -	To be heard next court day, and a monition to hear judgment decreed.
		Thomas Wild, clerk	A sufficient promoter to be bound for the prosecution of this cause before the second court day of next term, or the cause to be dismissed.
		Edmund Petty - -	This cause being dismissed, it is appointed for next court day to hear the will of the court whether they will give defendant his costs or no.
	fol. 306.	Edward Shove, clerk - -	Appointed for next court day to hear the will of the court.
		Robert, James and Martha Couch	Commission for their answers decreed, returnable the second session of next term.
		Robert Grosse, clerk - -	To put in and prove his defence within a month. Consideration of his interrogatories against Dr. Fuller, Dean of Ely, referred to any one of the Commissioners, and if they are found to be scandalous or impertinent they are to be suppressed.
		Francis French, *alias* Woolmer -	To take out another schedule of penance.
	fol. 306 *b.*	William Leffingwell, of Pebmarsh, Essex.	Referred to some of the Commissioners to view the articles and if they think fit to dismiss the cause.
		Shelton, Dawson, and Mabb -	Commission decreed.
		Miles Berket - - -	Absolved according to his petition.

ACTS OF THE COURT OF HIGH COMMISSION.

1640.			
Nov. 26.	Vol. ccccxxxiv. fol. 306*b*.	Richard Frank, clerk - -	The Commissioners at Informations not having had leisure to tax the costs and alimony in which defendant was condemned, the taxation thereof is referred to Sir Nath. Brent and Dr. Aylett.
		Hubbert - - -	Commission decreed, and to proceed to proof.
		David Rogers, of St. Bridget's or St. Bride's Parish, London, beaver-maker.	The counsel for the defendant alleged that the incontinence charged against Rogers was commuted for before proceedings began in this cause, but the counsel for the office alleged that Rogers had committed adultery since his commutation. Ordered, that if good bond be given at or before the first court day of next term to prove the pretended adultery since the commutation the cause is to be retained; otherwise to be dismissed.
Dec. 7.	fol. 307.	Samuel Ward, clerk, late of Gipwin [Gipping], Suffolk.	Defendant being deceased, his brother desired the bonds entered by or for him might be cancelled: decreed accordingly.

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Jan. 1. 1. Certificate of Sir William Balfour, John Lanyon, and Mr. Wemys to [the Council]. According to an order of October 21 from the Board we have compared the swords in the Office of the Armoury with the five patterns allowed by the Council of War. We found the swords nailed in about 100 chests, having been formerly tried, and took 10 or 12 indifferently out of every chest and gave them sufficient trial according to your order of October 14; amongst them all we found only 12 defective, but not altogether unserviceable, and broke two in the trial; the rest were as good or rather better than the patterns. But whose the defective swords were, there being so many cutlers and their swords so intermixed, we cannot learn from the cutlers then present or from any others. [1 *p.*]

Jan. 1. York. 2. Sir John Conyers to Algernon Earl of Northumberland. I have received yours of December 26 and 29 and presently sent for the officers of the Guards and of the regiments ordered to remove. I had hoped the Quarter-master General would have been here long since to view the quarters you appointed, but he is not come nor is there anyone here fit to do it. Captain Yarner on my summons came to me last night; I would willingly have employed him in it, but there is no other chief officer with the Guards; and as you commanded they should remove, first I despatched him with a warrant to remove forthwith from Beverley with those three troops to Gainsborough and four places near. Captain Mynce [Mennes] is here and has sent for the quarter-masters of that regiment, and I expect Captain Pinchbeck and those from Wakefield to-night or

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to-morrow. As those two regiments are to lodge so near together as about Doncaster and Rotherham, I must cause them to view their quarters first, for I cannot so well ordain theirs by the card; the rather because those of the train of artillery are in those parts, and mean to remove again, for they change quarters at their pleasure and ravage throughout the country and do many disorders and pay no man a groat for anything. Daily complaints come of them and I refer the people to Sir Jacob Astley, but they pretend to be subject to no man but their own officers, nor are any of their officers here to command them. I have hitherto endeavoured that the troops should discharge their debts to the country as they have received moneys; I enclose a copy of my warrant to the Guards for their removing, and the rest shall be like. When the Scotch moneys come they shall be convoyed according to your command: here is no choice of captains to do it, so that whether the troops be removed or not Pinchbeck of my regiment or Mynce of Mr. Wilmot's must be the man, for there are no other captains in the army but Neville of mine and Vaughan of the Earl of Carnarvon's, and he lies too far out of the way and so does Sir Foulke Huncks. The new captains are not yet come nor any other officers but Sir Charles Lucas, who with the troops of Richmond shall receive the Scotch money from the other and bring it to Croft-Bridge. I fear the new and old captains and officers do all alike take leave of your Excellency and are three weeks on the way hither. Major Trafford's troop are in great disorder; they refuse to obey their officers and pretend to be free because their captain is discharged. Capt. Herne commands at Stockton and he says he has no power over the horse and so they are suffered to do all the disorders they will. The Quarter-master has come to me with his arm in a sling, being cut by a trooper; I am sending Captain Allin thither in the morning with the Quarter-master to whom I give a copy of the other paper inclosed and will give him order to bring the trooper prisoner hither who hurt the Quarter-master, if he be not gone; but when I have him here I cannot punish him. It were very good the officers came all to their commands, for the soldiers wanting money and officers to command them take too much liberty; some of the officers are ignorant enough, as the one at Stockton. I hope the 12,000*l.* or 13,000*l.* coming to us will bring all the army upon one footing to the 8th December last. [*Copy.* 2½ *pp.*]

Jan. 1. 3. Sir John Conyers to [Edward Viscount Conway]. I humbly thank you that you forget not Mons. [Henry] Hume, my wife's nephew, and I beseech your Lordship to do as you say to get the King to speak to the ambassadors in his behalf, and, if it please you, not only that the Prince of Orange will give him the troop, he is lieutenant to, when his captain, Abercrombie, dies for he may chance live long, but any other of either of the nations, when any falls void. Lieutenant Hume is well known to them both, especially Mons. Arsens. The troop lies at Nimeguen where the son of Mons. Arsens is governor, and he is very well esteemed of him and has long

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promised him all his assistance that way. The cyphers in my last were not to any great purpose, most to show you that I understood them. I return your own again because I have not means to copy it out. If your Lordship hath found yours again be pleased to return me this or another. I am very sorry that my Lord of Northumberland is again sick. I pray God send him health and long life, for I protest afore God next to your Lordship I love and honour him above all the Lords in the world, and ever did so since I saw him. I am now again assured he is very much displeased with me touching the burgess-ship of Berwick, wherein I did not and never did intend to do him ill service. I am informed that some have written to him from Berwick that the townsmen had resolved to choose Mr. Potter according to his recommendation, and that I came into the Town-house and by my threatenings towards the townsmen they changed their resolution; which I protest is all false, for to my knowledge all or most of the principal men in the town had promised Witherington, who came with my Lord Lieutenant's letters, their voices the day before. A friend of mine was once present when my Lord spoke of it and another sought to excuse me; and my Lord answered, "Sir John is not so simple, he knew I had formerly recommended Potter and would have him named again. And I," he said, "had done him all the courtesies I could." But this must not come to his Excellency's ear again for his sake that informs me of it. Advise me whether I should not do well to write to his Excellency at large. I have used all the means I can to get a copy of the Mayor's letter to his Excellency in their excuse for not choosing him [whom] his Excellency recommended, but cannot get it. I have caused the Mayor and his brethren to be spoken to about it and have desired a copy from them and they have refused it; which would make some men believe they have done me an injury in it. The speech goes here that Sir Jacob Ashley and Floyd, the quarter-master, will be questioned by the Parliament touching the business at Newburne. P.S.—My Lord, I beseech you that the enclosed may be delivered to Lord Wentworth. [3 *pp.*]

Jan. 1. York. 4. Captain John Mennes to Edward Viscount Conway. Notwithstanding greater occasions than usual press me to beg leave to repair to London, where February 1st I have a long depending cause to be heard in the Exchequer, yet when I have looked on my Commissary's regiment without any captain but myself, I have forborn; still expecting when some of them would have returned and given me liberty. But I stand still fixed without hope of any such thing, and therefore, since I must be the drudge, I hope your Lordship will think me fit [for] some recompense; and that since Colonel Trafford is called from his command of major I may be thought worthy of that command. I have acquainted my Commissary with this, who has promised to solicit for me, and I now most earnestly recommend my cause to your Lordship. [1 *p.*]

Jan. 1. 5. Petition of Sir James Thynn, plaintiff in a cause in which Henry Frederick Thynn is defendant, to Francis Lord Cottington,

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Master of the Court of Wards. Petitioner is a member of the House of Commons in this Parliament assembled, and ought by the privileges of the same to be free from all arrest or molestation in person, goods, and estate. Yet the defendant having obtained the order annexed for an injunction to compel petitioner's tenants of the lands descended to him to pay to the said defendant their several rents has sued forth this injunction and served the tenants therewith and received divers rents and profits by virtue thereof in manifest contempt of the House and its privileges. Petitioner, therefore, prays the injunction may be dissolved, and that defendant may on his oath bring into court all rents and profits he has received thereupon, there to remain till the hearing of the cause. [*Copy.* ⅔ *p.*] *Underwritten,*

5. I. *Reference by Cottington to the Attorney General to examine this complaint and give his opinion what he conceives fitting to be done therein touching the privilege required by Sir James.*

5. II. *I have considered this petition and the several orders, and am of opinion, if you so think fitting, that the injunction granted by the last order ought to be dissolved, as it concerns Sir James Thynn's title, who ought to be privileged; and that such rents as have been received since the injunction awarded ought to be brought into the court. R. Wandesford.*

5. III. *Let an order be drawn up for dissolving the injunction and for payment of the rents mentioned within into this court, according to Mr. Attorney's opinion hereto annexed. Francis Cottington, January 3rd,* 1640[–41]. [½ *p.*]

Jan. 1. Office of Ordnance. 6. Certificate of the Officers of Ordnance of the gunpowder remaining in his Majesty's stores in the Tower and at Portsmouth on December 1, 1640; what was received in and issued out for the King's service or sold during the month of December, and what now remains in store. Totals remaining in the Tower, 163 lasts 5 cwt. 59 lbs.; at Portsmouth, 71 lasts 23 cwt. 98 lbs. [2 *pp.*]

Jan. 1. 7. The account of the Collectors of the Impositions for the year ending Michaelmas 1640. Total collection of the impositions in the year, 157,612*l.* 15*s.*, of which 16,792*l.* consists of arrears for this year in the particular collectors' hands. [4½ *pp.*]

Jan. 1. 8. Note by Nicholas of New Year's gifts given [by him] January 1, 1640[–41] and the two preceding years severally. Total for 1640[–41], 1*l.* 13*s.* 6*d.* [3 *pp.*]

Jan. 2. 9. Certificate of Peter Turner that he heard Sir Nathaniel Brent, Vicar-General to his Grace of Canterbury, profess to this effect; that in the late Metropolitical Visitation so far from having received instructions from his Grace to require any man to bow towards the altar, on the contrary he was instructed by him not to urge that

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ceremony anywhere. [*Endorsed by Laud:* "Sir Nathaniel Brent.' ½ *p.*]

Jan 2. Nantwich. 10. Jeffery Massie to Lawrence Squibb. I have sent a petition to this bearer, in which I have shown what wrong you have done me, that he may prefer it to the High Court of Parliament that I may have satisfaction for all the wrong you have done me. Nevertheless I thought good to acquaint you of my intention, that if it please you to compound with this bearer and give me satisfaction by restitution of all my losses, I will forbear to prosecute you. If not, I will prefer my petition, which I think will tend more to your loss than if you paid me treble the damages I have sustained by you. [½ *p.*]

Jan 2. Burdrop. 11. Sir William Calley to Richard Harvey. I have received my bond cancelled for the 208*l.* payable to the deceased Lady Anne Campbell; and Anne Bowdler's note consenting that I should pay the same 208*l.*, due to her by her grandmother's will, to Sir Edward Wardour, her uncle, which well satisfies me, for pay it to some one I must; but what sticks with me a little is that my brother, Wardour, should so easily prevail with you to pay the money before you had the note under Anne Bowdler's hand. Procure me out of the office where it was proved a copy verbatim of Lady Campbell's will. [*Seal with arms.* 1 *p.*]

Jan 2. Burdrop. 12. William Calley the younger to the same. Thanks for the pot of green ginger, &c.; requests him to procure some China wood preserved, and a pound of China green ginger. [*Seal as above.* 1 *p.*]

Jan 3. 13. Session book of the Council for January 1640[–41], containing the names of members present at several of the sittings of the Privy Council during the present month. The days to which these notes relate were the 3rd, 6th, 15th, 17th, 24th, and 31st, but these were only some of the days on which the Council sat. [*See next page, No.* 19. 16 *pp. of which* 9 *are blank.*]

Jan. 3. Whitehall. 14. Order of the King in Council that a copy of the remonstrance this day presented to his Majesty in Council by the Committee, sent over hither by the House of Commons in Ireland, shall be forthwith sent to the Lord Lieutenant of Ireland [Thos. Earl of Strafford], and that he shall be prayed to send to his Majesty or the Board forthwith his answer in writing to the particulars therein expressed. [*Draft by Nicholas.* ½ *p.*]

Jan. 3. Whitehall. 15. The like. That the article sent herewith presented amongst others to his Majesty by the Committee, sent over hither by the House of Commons in Ireland, shall be sent to Sir Ralph Whitfield and Sir Thos. Fotherley, late Commissioners employed by his Majesty to Londonderry, who are required forthwith to send his Majesty or the Board their answer thereunto in writing. [*Draft.* ¼ *p.*]

Jan. 3. Whitehall. 16. The like. That an order dated March 11, 1639[–40], formerly made by the Board on complaint of the Dean of Durham against two

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of the tenants of that church for collecting money from the other tenants to prosecute a complaint against the said Dean and Chapter, &c., shall be totally vacated, and all persons whom the order concerns are left in the same state as before it was made. [*Draft.* ⅔ *p.*] *Underwritten,*

16. I. "*Read at the Board Jan. 6th,* 1640[-1], *his Majesty being present. E*[*dward*] *N*[*icholas*]." [*Draft.* ⅔ *p.*]

Jan. 3. 17. Archbishop Laud to the King. The Great Seal being left as it is I conceive your Majesty will bestow all livings that shall be void, and were usually in the gift of the Lord Keeper, of what value soever they be. [*Marginal note by the King :* "You are right."] This I took it my duty to put you in mind of, since it in part belongs to that service with which you were wont to trust me. And I am the more bold to put you in mind of it because by this means, if you please to make use of it, you may the sooner provide both for the Scotchmen who suffer, and for other men who have served you at sea. At this time I am informed that the rectory of Ashen, in Northamptonshire, is void and in your Majesty's gift. It is thought not to exceed 100*l.* a year. The Bishop of Brechin hath a son, if your Majesty please, ready to take orders, and may be fit for it, and by that means he may be some help to his father, who certainly needs it. If your Majesty like of this and let me know so much, I shall give warrant for it accordingly. [*Margin :* "Give order accordingly, C. R."] But I submit all this and my own unhappy condition to God's will and your Majesty's. Your Majesty's most humble servant, though unfortunate, W. Cant. [*Endorsed by Laud :* "The King's warrant [for the] Bp. of Brechin's son." 1 *p.*]

Jan. 3. Ragley. 18. Foulke Reed to Edward Viscount Conway. Though it be conceived somewhat early to send to Chalcot about what you commanded me, there being a heavy house and the funeral not yet finished, yet for the preventing of others of like desire, your Lordship hath, I sent to Mr. Prescott, whose advice Sir Thos. Lucy in his litetime made use of in his greatest affairs, to know what purpose there is for disposing of such of Sir Thomas's estate as your Lordship is desirous to deal for. He answered that there is no purpose declared yet, but he thinks there will be, and when there is he will give me first knowledge thereof. As for your command touching Luddington, I have not yet fully considered the quality and condition of those grounds, that objections, if any be, may be answered; I shall resolve your Lordship of my opinion and then refer myself to better judgments, which I shall desire you to admit, if you please to prosecute your proposition. I have sent up 60*l.* directed to Mr. Shalmer; the rest shall be gathered with all speed. [*Seal with device.* ¾ *p.*]

Jan. 3. 19. Book of notes kept by Nicholas of proceedings of the Privy Council at their several meetings during this month. These notes state the names of the members of the Council present on each occasion, and briefly indicate the several businesses considered and the orders made. The days on which the Council sat and to which

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these notes refer were the 3rd, 6th, 10th, 11th, 15th, 17th, 19th, 20th, 22nd, 23rd, 24th, 27th, and 31st. The King was present on all these days except the 11th and 23rd. [64 *pp. of which half are blank.*]

Jan. 4. 20. Certificate of Christopher Potter that he heard Sir Nathaniel Brent profess that in his Metropolitical Visitation he had no directions from Archbishop Laud either to press any new ceremonies or to persuade unto them. [*Endorsed by Laud:* "Sir Na. Brent." ½ *p.*]

Jan. 4. 21. Petition of Peter Archer to Francis Lord Cottington, Master of the Court of Wards. Petitioner having been prisoner about five months in the Wood-street Compter upon a contempt and for no other actions, on the 16th of December last obtained an order for his enlargement as appears by the annexed writing. Notwithstanding [Richard] Smith, clerk of the Compter, refuses to obey the order, and detains petitioner prisoner in great misery, although no other actions at all hinder his liberty but only that contempt. Prays you to call Smith before you to show cause why he refuses to obey the order. [*Copy.* ½ *p.*] *Underwritten,*

21. I. *Order by Lord Cottington that Mr. Smith show cause in writing why he obeys not the order.* 4 *January* 1640.

21. II. *Certificate of Richard Smith that the petitioner, Peter Archer, is detained under custody of the sheriffs of London by virtue of his Majesty's writ of attachment out of the Court of Wards to them directed. The rule in such cases has always been, that no writ out of any court can be superseded, nor any person detained by virtue of any writ discharged, except by his Majesty's writ of Supersedeas; for no order is a sufficient warrant for any sheriff to discharge a writ by, but it is sufficient warrant for the clerk of the court to award a Supersedeas upon for discharge of the writ. This is the usual and legal course, wherein notwithstanding the sheriffs will submit themselves to your honour. Richard Smith.*

21. III. *May it please your Lordship, Mr. Awdley, the clerk of the court, can best tell the course of the court in this case, so my advice is that you send to him about it, otherwise the sheriffs will not set petitioner at liberty. R. Wandesford.* [=¾ *p.*]

Jan. 4. 22. John Hill, M.A., rector of Holdenby, co. Northampton, to his cousin [Sir John Lambe]. Relates the news about Holdenby, &c. The labourers, which Mr. Muse [keeper of the Queen's house at Holdenby] sets down for the Queen's Majesty, do Mr. Muse's business all the year long. He has omitted many ash trees which he sold; the Council only authorized him to cut the hedgerow of thorny holm and sallow sprigs. Narrates other misdemeanours of Muse's. My wife has sent Lady Fielding two turkeys and a cake, and we thank you for your sugar-loaf. [1 *p.*]

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Jan. 4. 23. Note of warrants for services done in the Record Office in the Tower. Warrant for 100*l.* to Wm. Ryley, one of the clerks of the Records, Jan. 11, 1637–8; for 60*l.* to the same and Wm. Collett, Oct. 10, 1637; for 93*l.* 2*s.* to Sir John Borough, July 14, 1635, for his pains and charge in search of divers records; for 69*l.* whereof 49*l.* is for Sir John Borough and 20*l.* for his clerks, Jan. 4, 1640–1, for services in transcribing divers copies of records concerning escuage last summer, and concerning attainders and other business to be used in this present Parliament for his Majesty's special service. [1 *p.*]

Jan. 5. 24. Order from Sir John Conyers to Captain John Mynce, for the present command of the regiment of the Commissary-General of the Horse. Having received order from the Earl of Northumberland for the convoying of money ordained by the Parliament for the easing of the northern counties and payment of the Scotch army; these are to require Capt. Mynce to march, when notice is given, to Battrix, or any other place to which he shall be ordered, with the troop of this regiment quartered in Doncaster; and to convoy thence the money intended for relief of the northern counties to Wetherby, Kirk Hammerton, or Boroughbridge, whichever be most convenient for Sir Charles Lucas, who is there to take the money into his custody. [*Seal with arms.* 1½ *p.*]

Jan. 5. 25. Sir William Uvedale, Treasurer-at-Wars, to Matthew Bradley.
Covent Garden. I am much troubled not to have heard from you by this return of the post, for I desired much to hear touching the payments to be made here, especially those of Dr. Turner, who afflicts me daily; and I shall be better content to pay him out of my own purse than to be at this pass, if I knew how to make his acquittances and from what day. Our Subsidy Bill is passed, which will give us credit for more money, and I hope to send you some good news of it very shortly. [*Seal with crest and motto.* 1 *p.*]

Jan. 5. 26. John Nicholas to his son, Edward Nicholas. Family affairs. Our new landlord to the parsonage [of Earls Winterbourne], one Mr. Shapley, when he was installed prebendary, desired me to pay his rent quarterly to Mr. Wilkinson, our Bishop's secretary, who is now in London waiting on his lord, and therefore I entreat you to pay him and get his hand to the enclosed acquittance, and I will send you the money by your brother. The Oxford carrier goes next Monday, he shall then carry Jack's bedding and trunk. I shall be glad to hear what the Provost has done for a chamber for Jack, and how he speeds in the Parliament House; God send us good news. I pray God they go not too far and so mar all. [*Endorsed:* "Received 8 Jan., my father to me, to pay 4*l.* 7*s.* 6*d.* to Mr. Wilkinson for a quarter's rent for Winterbourne Parsonage and he will repay it." *Seal with arms broken.* 2 *pp.*]

Jan. 6. 27. Order of the King in Council. Whereas by order of the Board
The Court at Whitehall. dated March 29, 1637, it was ordered that the bailiffs of Ipswich and such others as are mentioned and authorized by the Statute of

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13 Eliz. shall by virtue thereof levy competent rates for maintenance of the same churches; and by the same order the nomination of the ministers in certain parishes in Ipswich is declared to be in his Majesty, and a rate on the parishioners directed for their maintenance according to former voluntary contributions; and certain other parishes in Ipswich were referred to the consideration of the two Lords Chief Justices and the Lord Chief Baron for the like regulation, and whereas on their report that the other parishes in Ipswich were comprehended within the Statute of 13 Eliz., it was ordered on May 30, 1637, that a competent maintenance should be taxed for the said ministers; it was this day ordered that both the said orders shall be disannulled, and that all rates that have been made by the bailiffs by virtue of these orders shall be likewise void, and that the nomination of the stipendiary ministers shall remain as before those orders were made, and that all matters contained in those orders and the parties they concern shall be left to the ordinary course of justice. [1½ *p.*] *Underwritten by Nicholas,*

27. 1. *This addition and alteration to this order was made by direction from the Lords the* 15*th of this instant January at the Board.*

Jan. 6. Whitehall.

28. The like. The Clerk of the Council now attending having this day acquainted the King in Council that he had received a warrant, from the Grand Committee of Grievances appointed by the House of Commons, to send them all orders and petitions concerning the Vintners and Alderman Abel and the Medium Merchants, it was ordered that copies of all the said orders and petitions should be issued by the Clerk of the Council for the information of the Committee. [⅔ *p.*]

Jan. 6. York House.

29. Algernon Earl of Northumberland, Lord High Admiral, to Francis Lord Cottington, Vice-Admiral of co. Dorset, and the town and county of Poole. These are to require you to send me an exact list of all Scotch shipping with their goods and tackle which have been arrested within your Vice-Admiralty since the 13th of April last, not only of those yet in restraint, expressing what part of their goods have been sold, what remains in safe custody, and how the money is disposed of, but also of those that have been discharged, by what order they were freed, and to whom. Wherein the more care and expedition must be used, because a strict account is expected and will suddenly be required. [*Seal of the Lord High Admiral impressed.* ⅔ *p.*]

Jan. 6.

30. Petition of Mary Eld, widow, to Lord Cottington, Master of the Court of Wards. Richard Eld, petitioner's husband, died about August last, seized of lands, tithes, and hereditaments, in co. Stafford, part whereof are held of his Majesty in capite by knight's service, leaving Francis, his son and heir, within age, and a writ of "Diem clausit extremum" issued out to find the office, the time for finding it being by the escheator appointed, petitioner attended to have her jointure found in the said office which is one capital messuage with

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appurtenances in Seighford,co. Stafford, wherein her husband died,and certain other tenements and tithes which were before marriage settled on her by her late husband, but by desire of Lady Crompton, the ward's grandmother, on behalf of the ward, the finding of the office was adjourned to a further time; and meantime Lady Crompton exhibits an information on the ward's behalf, and on a motion obtains a "Supersedeas" to the said writ, and takes out a commission for finding the office directed only to the counsel and friends of the ward and on the last day of compositions this last term on the affidavit of one Clarke hereto annexed on the pretences therein expressed she obtained on the ward's behalf an injunction for the possession of all the lands petitioner's husband was seized of at the time of his death, by colour whereof petitioner fears to be violently cast out of her jointure lands and the capital messuage aforesaid; now as petitioner has a "Dedimus" granted to answer the information in the country this vacation and upon the affidavit of Robert Skarlett hereto annexed that petitioner has not entered on any other than her jointure lands and that the ward has 200*l.* per annum in present possession besides the jointure lands, petitioner prays that the commission for finding the office may be superseded and a new commission for finding it issue forth directed to indifferent persons, and that the injunction against petitioner's jointure may be dissolved, that so she may continue in the same till legally evicted. [1 *p.*]
Underwritten,

30. I. *Robert Skarlett was sworn in my presence December* 12, 1640. *R. Wandesford.*

30. II. *I desire Mr. Attorney of the Wards to consider this petition and affidavit annexed and to give further order therein as he shall think fit or certify me his opinion. Francis Cottington, December* 22, 1640.

30. III. *Upon consideration of these proceedings, I think fit that a Supersedeas shall be accorded to stay the proceedings upon this commission and that a new commission be awarded whereunto the mother may take her just exceptions, the rather as there is a suit depending and she has a commission to take her answer returnable the next term all which, nevertheless, I leave to your Lordship's judgment. R. Wandesford.*

30. IV. *Let the former commission be superseded and let a new commission be awarded in the nature of a "Diem clausit extremum," directed to indifferent commissioners to whom petitioner may make just exceptions to find the office, and let the office with a schedule and confession of the estate be returned the sixth sitting upon compositions in Hilary term next. Francis Cottington, Jan.* 6, 1640[-41].

Jan. 6. Petition of Thomas Beale, lieutenant of the forest of Whittlewood, in co. Northampton, and of the keepers and under-officers, to the Earl of Northampton, master of the game for that forest. At

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the justice seat held for the forest in Sept. 1637 there were brought in two rolls of presentments from the Court of Swain-mote for one and the same offences, whereof one was conceived to be void by want of legal proceedings; and that for want of due exceptions thereto at the reading of these presentments, we being gone out of court, by your Lordship's special command to subscribe the boundaries of that forest, we stand fined upon each of the said rolls, most of which presentments against us depend upon the claims of the master of the game. Since which, at Woodstock, in 1638, you were pleased to remit our fines and to express so much to the Earl of Northampton, nevertheless Mr. Keeling persists in refusing our discharge for want of full fees upon those double presentments and your warrant for the same. We pray you to give order to Mr. Keeling to discharge us of these fines, we paying him our single fees. *Underwritten,*

Answer by Henry Earl of Holland, that it was not his intention to fine petitioners doubly for the same offences twice presented, nor that they should be prosecuted upon such fines as depend upon claims until the latter shall be determined; in both which cases they are therefore to be relieved, and Mr. Keeling is to govern himself therein accordingly, and if there remain any other fines which are not so excused I hereby direct Mr. Keeling to discharge the same, which I do at the instance of the Earl of Northampton. [*Copy. See vol. ccclxxxiv., pp.* 107–109. 2 *pp.*]

Jan. 7. 31. Schedule of charges presented by the Scotch Commissioners to the English Lords Commissioners, being the proportion of the losses sustained by the Scots in 1639 and 1640, by reason of the late troubles, which they consider it only just and kind that the kingdom of England should repay them. [*Damaged by damp.* 8½ *pp.*]

Jan. 7. New College [Oxford]. 32. John Windebank to his father, Sec. Windebank. Has not written because he has been so ill but he is now recovering; returns thanks for his kindness. [*Latin. Seal with arms.* 1 *p.*]

[Jan. 8.] 33. Sir John Conyers to Algernon Earl of Northumberland. According to your command of the 26th of last month I presently ordered the Guards to remove their quarters from Beverley to Gainsborough, and the 2nd of this month the other two regiments, so that by this time they are at their new quarters or on the way to them. Yet Sir George Vane's lieutenant told me this morning he was come this way with the troop, that Captain Yarner's was not yet all passed at Hull, from the difficulty of the passage, and that he had lost some horses in passing, which caused him to pass this way after long waiting there for passage. Before the receipt of your last open warrant for convoying the Scotch money I had given order in it to Captain Mennes and Sir Charles Lucas, the first to fetch it at Doncaster and bring it to Kirk Hammerton, and the last to receive it there and convoy it to Croftbridge. All the other troops complain for want of forage, especially those of Richmond and Stockton, they

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have eaten what is in their quarters, and the country will not furnish them for money, which they have not to give. I have had very great complaints both from the country about Richmond and the officers, I have sent Sir Charles Lucas to them and instructed him, as well as I could, to use all the best means [he could devise] to accommodate the business. I have likewise had great complaint from Stockton that the troop could not subsist any longer for want of money and forage, for on the Bishopric side nothing was left, and the other side would not furnish them. I was loth to give any warrant because I find these times are dangerous, but I thought better to hazard it than suffer the troop to perish or disband. So I directed the officers, in as civil terms as I could, to entreat the parts of Yorkshire thereto adjoining to bring them forage for their money, and what they receive without money I have ordered Brodley to pay for out of the first money that comes. Captain Vaughan was with me to-day to the same purpose about the Earl of Carnarvon's regiment, which he says is in distress, and the country too much oppressed. I have given him warrant to enlarge his quarters for ease of the country, and ordered him to do nothing without the knowledge of the justices of peace or high constables there. Captain Allen has brought that gent. prisoner from Stockton that hurt the quarter-master, as also the informations taken there by Captain Heron. I find the matter in no kind so ill as the quarter-master reported, and the troop yet in good order. I will keep this gent. in prison awhile, reprehend him for his disobedience to his officers, and then return him to the troop. But Captain Heron makes a complaint of another nature; I should have referred him to Sir Jacob Astley had he been well. I send you his letter that you may consider this business, and the place he is in, that if you like the man you will give him some authority to command there, or anyone else you think fit; else such disputes may daily arise and cause great disorders. Last night I received yours of the 5th of this month. I will give notice to all, particularly those towards the Tees, of the prolongation of the truce. Concerning the petition you send me, were the advocate of the Council of War here, I would send him to examine the business, but I will send Captain Allen, whom I find very diligent and understanding in business. By him I will write to the justices of peace to send me informations on oath. I will do what can be done and give you an account of it. On receipt of yours of the 29th of last month wrote to Paymaster Brodley about the last clause of 12,000*l.* or 13,000*l.* which was coming for the army, and he gives me hopes with it to pay the rest of the army till 8th December, according to your directions. Sir Jacob Astley is ill, but I hope will recover; however, I will obey all commands you lay upon me, otherwise I should justly say the charge already laid on me, considering the time, is more than I can wield. Therefore, I once more beseech your Excellency for directions how to govern ourselves and those we command, for having been bred a soldier I am very unskilful in the laws of the country, and therefore with my warrants and such like I may deserve hanging and not know it. Besides, I beseech you favour me as much as may be in what I shall

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do for your and the King's service, and I assure you I shall never, with my knowledge, do anything unjust in one or the other. When the advocate of the Council of War has done his business let him return to the army, and let all those officers be commanded to their charges. If everyone would do a little the business would be easily done, which is not well to be effected by one or two. [*Copy.* 2½ *pp.*]

Jan. 8. Covent Garden. 34. Sir William Uvedale to Matthew Brodley. Casting up the sums disbursed since November 10, which is the Parliament account, I find there is yet some money owing to the King; but you have done it with so much ability, as none I am assured could have amended it or have done it so well, for you have almost gained the point, which is but this: both my own portage money, our own wages, and the cost of conducting the treasure, and the whole charge of the army from November 10 must be paid by the Parliament; and if it should happen upon the foot of that account that we should have overpaid any sum, I doubt how we should get it back; and this is the true state of the business, to which you must apply your care, especially to get into your hands all moneys of the King's that were advanced for satisfaction of the army after November 10, and let them lie secretly by you till we meet, only I shall refer it to your discretion to pay any petty warrants that were due before November 10, if any such are yet unpaid. I will follow your advice and have a book kept here of such payments as I make, to free you from that trouble in your account; they shall be none but such as in civility I cannot avoid. Take care of the moneys belonging to me, both that [due to me] as a captain and what I have lent here, as 50*l.* to Sir John Suckling, which you must demand of Henn, and 10*l.* to Capt. Porter, who is now cashiered here, only he is allowed his pay till Jan. 4th. This morning I lent 20*l.* to Sir Richard Grenvile, but that you shall hear of hereafter; he is like to give his lady a great overthrow in Parliament. I shall endeavour to send you a full month's pay for the army as soon as possible, but I must tell you I have to deal with a multitude and such as believe that it is much for an army to be behind one month that lies in garrison. Before I could end this I received yours of Jan. 5th, you will find that the 100*l.* you received from Allenson and the 100*l.* you defalked from the Earl of Crawford will be charged upon the 16,000*l.* you are now to receive: so your charge from Goldsburg and Harrison is 49,000*l.*; the other 1,000*l.* I stayed here for my portage money, and to discharge other things that arise here. For Cross' warrant, I conceive there will be no need to renew the warrant, for it must be paid out of the King's money, and my Lord Lieutenant's warrant is enough for that; nor will there be any danger whether the acquittance be antedated or no. I shall refer it to you and also the payment. You have done very well to order the little sum now coming down into one week's pay, rather than to proceed by lendings, for had you gone that way the officer would have paid himself perhaps more. Lieutenant-Colonel Ballard is to be heard to-day before the Lower House, touching the necessity the army is in for want of money, and the disorder by the soldiers that arises out

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of it. I am very sorry I could not be there, from my lameness, but I hope next week to be abroad and do the army some service in point of money. Meantime forbear returning any bills of exchange upon me because I would be loth they should lie on my hands, and would willingly be ready when they come to appoint a day when they should be paid. I send a commission to Capt. Thomas Cary for one of the companies of Lord Barrymore's regiment; these letters directed to Lord Barrymore come from Ireland. P.S.—I send you Sir Richard Grinfield's [Grenvile's] bill, which I pray receive for me from Hodson or Miviett and lay by you. I should be glad also to hear you had received the 50*l.* of Sir John Suckling from Henn. [*Seal with crest broken.* 2 *pp.*]

Jan. 8. Paris. 35. Robert Read to his cousin [Thos. Windebank]. My man Pharamond arrived here last Friday after our letters were sent to the post. He tells me my Lady [Windebank] furnished him with 10*l.* for his passage, for which I humbly thank her, and desire it may be repaid her out of the money to be received for my horse. I understand Mr. Montreul, the French agent, continues to use me at his pleasure, which is all the thanks I have for the pains and trouble I have suffered for him. I am in an ill condition to complain, yet my heart is not so low as to endure such usage; I have written to Mr. Church to take some course that I may be righted. Mr. Secretary [Windebank] went to see my lord ambassador [Robert Earl of Leicester] this afternoon, the first time of his going out since our arrival. We found his Lordship very civil and I doubt not he will shortly return a visit. We hear nothing yet of our clothes; if they come safe I shall desire one other suit from England, for things are so excessively dear here that I shall not be able to afford many clothes. My ordinary expenses will amount to more than I fear I shall ever be able to recover without some relief. I have desired Mr. Porter to lay hold of any occasion to do me good, which I am confident he will faithfully perform. There was left in my iron chest a parcel of light gold which was to have been transported by a Dutchman, but was seized by Mr. Pierce of the chapel. It is as I remember about 140*l.*; one moiety belongs to Mr. Pierce by law, and the other Mr. Secretary once moved the King to give him for his good service in seizing it. But the King gave no order for it then, so nothing was done. Mr. Secretary now desires you to move his Majesty in the business, and to represent to him how small a thing it is, and that one moiety belonging to him [Mr. Pierce] by law, he deserves the other for his pains in discovering the business, whereby the transportation of much more was prevented, and therefore desire his Majesty to bestow it on him; which if he do, a little warrant must be drawn to be signed by the King, giving order to Mr. Secretary, or any whom it may concern, to deliver the money to Mr. Pierce, upon signing of which it may be paid him and his acquittance must be taken for it. But if the King still make difficulty of it, then you may deliver Mr. Pierce one half of it, taking his acquittance for it, and keep the rest till the King shall dispose of it. [2 *pp.*]

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Jan. 9. 36. Order of the King that a copy of the Remonstrance presented to his Majesty in Council the 3rd of this month by the committee sent hither by the House of Commons in Ireland shall be forthwith delivered to Sir George Ratcliffe; and that he be hereby required to send to his Majesty his answer forthwith in writing to the particulars therein expressed. 6 Jan. 1640[-41]. *Underwritten,*

36. I. *I this 9th of Jan.* 1640[-41] *read this order to his Majesty who commanded me to send the same under my hand to Sir George Ratcliffe. E[dward] N[icholas].* [½ *p.*]

Jan. 9. 37. Certificate of Nathaniel Snape, a justice of peace for Middlesex, that John Mylles, of Corkagh, co. Dublin, voluntarily took the Oath of Allegiance before him this day. [⅓ *p.*]

Jan. 10. Whitehall. Order of the King in Council. The Clerk of the Council now attending having this day acquainted the King in Council that he has been sent unto from the Committee for the Shipping business for copies of orders, warrants, petitions, and complaints concerning ship-money; and that there have been with him divers persons for copies of other warrants, orders, and petitions, as particularly that concerning a lecturer at Yarmouth, the warrants touching the commitment of Mr. Denzil Holles and searching of his study, anno 3 Caroli, &c.; it is ordered that the Clerk of the Council attending shall from time to time give copies not only of the orders, petitions, warrants, and complaints before mentioned, but also of any others that concern any particular business between party and party. [*Draft by Nicholas. Written on same paper as Jan.* 6, *see No.* 28. 1 *p.*]

Jan. 10. London. 38. James Galbraithe to Sec. Vane. My earnest request to you is to have me in remembrance if there be occasion of employment. If I be admitted to particular conference with you, I make no doubt I shall give you such satisfaction that you shall see that I can do his Majesty good service; neither is there any cause of mistrust of me, being born and brought up from my infancy in his Majesty's house in England. My other petition is, seeing my uncle the sergeant is content to bestow 10*l.* of his wages upon me, that you would give me a note unto the Master Cofferer to receive it, for without your warrant I can nowise receive it, and although his wages be arrested for the arrears, yet that can be done another time. [*Seal with device broken.* 1 *p.*]

Jan. 10. Audleby. 39. Sir Foulke Hounckes to Edward Viscount Conway. We have received so little money I was constrained to pay all I received to our hosts, that they might trust us again, so that the soldiers have no money to repair their defects, and if you speak not in our behalf for money for those horses which were killed, and are now supplied at our own cost, which makes my purse very empty [we are undone]. Next Tuesday we are six weeks behind in our entertainment, and if we should remove it will breed great disorder in the country. Forage grows short and the people unwilling to part with any without money, but if the captains were with their troops the people would be better satisfied. I have sent a copy of a warrant fearing there

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might be some mistake in it, for no other troop can be removed without your patent to the place, which caused me to wish the quartermaster if he could [would] subsist where he was, [as] it would be better to keep the troop together than to separate. On all small complaints they present to the Parliament, and being loth that any of your warrants should be questioned I presume to say this. [2 *pp.*]

Jan. 10. Sarum Close. 40. Richard Green to Edward Nicholas. Requests warrant by bearer for felling a coppice in Clarendon. Has buried a brother who died at Oxford the last day of the old year. Discusses repairs to be done to Nicholas' farm at Longparish where the meadows had been heretofore drowned and trenched, but the hatches are lost and the trenches filled up; 40*l.* will be about the price tenants will offer. Mr. Withers has been very earnest upon the discourse we had at London to help him to 500*l.*, and I have sent him word I will furnish him by a friend of mine who has that sum if he can please him with his security, which will not hinder the business we spoke of, if you are of the same opinion as we were then, which I have reason to doubt because the times are changed and likely to do so. [*Seal with device.* 1½ *pp.*]

Jan. 12. 41. Minute of a pass for John Milles of Corkagh, co. Dublin, to travel into foreign parts, with a proviso not to go to Rome, and the usual clauses. [⅓ *p.*]

Jan. 12. Covent Garden. 42. Sir William Uvedale to Matthew Brodley. I have received yours of the 1st and 8th inst., but not of the 5th, wherein you give me a more particular account of the army, which you have put into as good order as any man can with so little money, only I wish the poor sum you received last may be applied for one week's pay if it will reach so far, and that you would never pay either Leach, Miviett, or Henn, but proportion so much to them as will always fit such payments as they are to make. To day the Lower House sends to the Lords the charge of high treason against the Lord Keeper [Finch], who, I presume you have heard, is fled; the condemnation of ship-money is voted as utterly illegal; they will be ready in a day or two to send up their charge against [the Earl of Strafford] Lord Lieutenant of Ireland and the Archbishop of Canterbury, so that our business now begins to grow hot. They have sent also into the city to borrow money upon this bill of subsidies, wherein God send them good speed. We hear every day complaints of the disorder of the soldiers, and I wonder not at it, for from an army neither paid nor punished how can we expect otherwise. I have paid Colonel Henderson a month's pay as reformadoe, the Lord General a month's pay from November 10th, Mr. Scovell the like, Lieutenant-Colonel Price his seven week's pay, and have here sent you his letter of attorney for receiving it. I have also paid Dr. Turner to and for December 8th, and Sir Nicholas Selden [Selwin?] the 35*l.* you received for him there; and all this is booked according to your direction. Your letters from Ripon take one day more than from York. I am in some trouble how to address this, for your last tells me you are going to York, and therefore I purpose to address this to York or

1640–41. Ripon, and hereafter as you direct. P.S.—I am glad to see Sir Jacob Ashley's hand to a packet, I hope the worst of his sickness is past. [3 *pp.*]

Jan. 13. Lease under the Queen's seal to Sir Gregory Fenner, knt., and Edward Wingfield, her Majesty's servants, of improved grounds containing 100 acres, lying in, and parcel of, the manor of Balderton, in co. Nottingham, lately improved out of the wastes of that manor, from Lady Day last for 21 years, reserving the rent of 50*s.* yearly. [*Docquet.*]

Jan. 13. Summons to M. Bilton and M. Waite for their attendance in the Queen's court [at Denmark House] in Westminster in the matter of Peter Simpson. [*Latin docquet.*]

Jan. 13. The like to Thomas Simpson and Richard Waite in the same matter. [*Latin docquet.*]

Jan. 13. 43. Examination of Edmund Chillendon, Nicholas Tine, John Webb, and at least 60 people more of St. Saviour's parish, Southwark, being brought before Sir John Lenthall. They were all taken last Sunday afternoon in time of divine service by the constables and churchwardens of St. Saviour's, in the house of Richard Sturges, where they said they met to teach and edify one another in Christ. 1. Being brought before Sir John Lenthall he demanded why they would not resort to their parish [church], according to the law of 35 Eliz.? They answered that was not a true law, for it was made by the Bishops, and they would not obey it. 2. That they would not go to their parish churches, they were not true churches, and there was no true church but where the faithful met. 3. That the King could not make a perfect law, for he was not a perfect man. 4. That they ought to obey him only in civil things. 5. That some of them threatened the churchwardens and constables they had not yet answered for this day's work. [*Endorsed by Nicholas:* "The examination of 60 Sectarists that met in St. Saviour's parish, Southwark." 1 *p.*]

Jan. 13. 44. Petition of Ann Steward, widow, to Francis Lord Cottington, Master of the Court of Wards. Prays for the wardship of her son Nicholas, heir of her late husband George Steward, who died about six days since, seized of divers lands in co. Northampton. *Underwritten,*

44. I. *Let petitioner have a writ or commission De diem, &c., to find the office, returnable the first sitting in Easter term. Francis Cottington. Jan.* 13, 1640[–41].

44. II. *Petition of Isabel Laton, widow, for wardship of her son William, son and heir of Thos. Laton, late of Dalemain, Cumberland, petitioner's husband, who died December* 10, 1640, *seized of lands in Cumberland.*

44. III. *Order as above. Jan.* 14, 1640[–41]. [*Copy* ⅔ *p.*]

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Jan. 15. Whitehall. 45. Order of the King in Council. That Mr. Attorney General [Bancks] and the rest of his Majesty's learned counsel, or so many of them as may conveniently meet, shall forthwith consider the commissions granted to the lords-lieutenant of the several counties in England and Wales, and the necessary businesses appertaining to the office of a lord-lieutenant; and prepare a bill to be tendered to the Parliament for establishing the powers requisite to be given to the lords-lieutenant in all the particulars incident to the said office for the better defence and preservation of the kingdom in peace and safety on all occasions. [*Draft by Nicholas.* 1 *p.*] *Underwritten,*

45. I. "*This order was read at the Board the* 19*th of this month. E*[*dward*] *N*[*icholas*]."

Jan. 15. 46. Petition of John Meredith to Francis Lord Cottington, Master of the Court of Wards. You directed that the case made upon the offices taken after the death of Matthew Thimbleby should be argued in Court, June 13th last, it being desired by the defendant's counsel, Mr. Sergeant Callis, that he might be heard before you and the Lords Judges Assistants, whereupon petitioner petitioned you for that day, and likewise by your directions attended the Judges Assistants to give them and defendants notice of the day. But the defendants did not attend with their counsel on the said day to have the case argued before you and the Judges Assistants who were ready to sit with you; nor did the defendants use any means last Michaelmas term to bring the case on to be argued, though petitioner has ever since attended in town at his great cost, hoping once in 18 years to see the case receive a final end. May it therefore please you to appoint Saturday, Jan. 30 next, for the case to be argued before you and the Lords Judges Assistants and that defendants may that day bring into court the deed of feofment they pretend to have, it being the ground of their argument, that the court may view it, whereby his Majesty's title to the mean rates will manifestly appear. *Subjoined,*

46. I. *Order as desired.* 15 *Jan.* 1640–1. [1⅓ *pp.*]

Jan. 15. York. 47. Sir John Conyers to Edward Viscount Conway. His Excellency [Algernon Earl of Northumberland] writes that you were to set forward to York last Wednesday; I shall be wonderfully glad to see you, but I wish money for the army were here before you or would come with you, for I fear some great disorder if present supplies come not. I have received yours of the 12th inst., by which I do not perceive you will be here so soon as his Excellency writes of. I am again to trouble you touching the King's letters to the Prince of Orange on behalf of my nephew Hume, for in this packet I receive a letter from him [saying] that he has received in one of mine a copy of that letter, but that Sir William Boswell has never received the letter of the King from Sir Francis Windebank; so I am to beg you, if you are yet at London, to use all possible means to recover those letters, or to get new ones written from the King, for it would exceedingly advantage my nephew's preferment to be so recommended, especially at this time of new alliance. Enquire

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of Lady Windebank if she know anything of them, as also of his secretaries and those that visited his papers; but if [the name in cipher, Vane ?] has them they will not be recovered, which I should be very sorry for. My nephew writes that his captain yet lives, but is fallen into a consumption and not likely to recover; and therefore I more earnestly desire the recovery of these letters or others in their places. Besides, he says a son of my lord of Lifco's [Linlithgow's ?], nephew to my lord of Amond, [James Lord Livingstone of Almont,] is there in the Queen's Court, and they use all means to procure him this troop when it shall fall in; and you know the Queen is much affected to that family. I heard this morning that Montrose and Argyle are fallen from Leslie, and are erecting a new army to maintain a new covenant; but I cannot for certain inform you, and I presume if there be any such thing you will have more certainty there. [3 *pp.*]

Jan. $\frac{15}{25}$. Paris.

48. Robert Reade to his cousin Thomas Windebank. Yours of Jan. 7 came to hand sooner than usual, though the weather has been very stormy this week. Yours with the second bill of exchange, whereof you expected an account in mine of Jan. 11, could not reach here till the same day that mine of Jan. 11 came to your hands, so you could not have an answer till last week, which I hope you have received. I am very glad you deal so well with your cold, that disease has been very mortal here this winter; they tell me 6,000 persons have died of it in this town within these two months. I do not remember having given you the least ground to imagine that I intended to separate myself from my uncle, much less absolutely take myself off from him. I know no consideration that can induce me to it; and I beseech you believe I shall rather on the contrary be an impudent hanger on upon him and his family while I live, especially while I shall be any way serviceable to him or it. When I shall cease to be so, which I hope will not be yet, I shall be ashamed to live in his family to be merely chargeable to it. Our trunk is not yet brought hither, but Signior Cantarini tells me he expects it to-night or to-morrow; it seems it is more difficult to get it from Dieppe hither, than it was to send it from London thither. I much wonder the charge [against my uncle] comes not before the Parliament; I hope the longer it stays the shorter it will be when it comes there. I did ever fear it was too late to prevent anything concerning the estate; all must be left to the good disposal of God and the King. It has been said here that Archbishop [Laud] is in the Tower, but I believe it not because I find no mention of it in yours. Some sentences in cipher. The Dutch ambassadors are much spoken of here and their business is taken to be already done. My cousin Christopher is stayed here a week longer, for his man came not soon enough from Orleans with his hardes to go away with the messenger this week. He will not fail to set forward for England next Tuesday. P.S.—I have already given you the best direction I can for finding the papers of the house. With them I think is a bond of 500*l.* lent to the Earl of Abercorn; so much rent as has become due to his Lordship since the last account must

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be deducted out of the 500*l.*, and the rest, together with the money laid out for the gate, &c., is to be paid you. There are some papers in the little box I used to carry with me to Court concerning books of Sir Edward Cooke, and amongst them a receipt under the Lord Keeper's hand for some of those books which were by the King's, command delivered to him. That receipt you are to show the King and receive order for demanding the books and ordering them as his Majesty shall command. Another sentence in cipher. [3 *pp.*]

Jan. 16. York. 49. Sir John Conyers to [Edward Viscount Conway.] Although I am of opinion I shall not give his Excellency satisfaction touching that scurvy business at Berwick, yet for my own content I have thought good to write this letter to him. I beseech your Lordship to peruse it, and if you approve it to deliver it, if not keep it or return it to me. I have again spoken with Henn your paymaster; he says though these last moneys be come to pay the army up to the 8th of December, yet there is no money left for your Lordship, but he has written to Sir Wm. Uvedale to pay you there. I believe these will find you on the way hither, for his Excellency wrote you were to begin your journey yesterday. I hear there is a resolution to cashier presently the horse of Berwick. I beseech you enquire after it, and if any stand I hope mine shall; and if you have leisure before coming down inform yourself what is intended to do with me when the garrison shall be dissolved. I wrote to you again yesterday touching the King's letters on behalf of my nephew Hume, who writes that they are not come to Sir Wm. Boswell nor hath he heard of them. I marvel what should become of them, for Sir Francis Windebank wrote to me that the original was signed by his Majesty and sealed by him and only stayed to be directed by me, and then sent me the copy of it; and I presently returned him answer and entreated him to cause them to be sent to Sir Will. Boswell. And I directed him to keep them till my nephew came himself for them. It will be a great misfortune to him if they be not recovered, for your Lordship being in these parts I know then no means to obtain other in their places; and his captain though not dead [is] in a consumption and not like to recover. And if the King should be moved to speak to the ambassadors on his behalf there must be no mistake in it, he is Henry Hume, lieutenant to Abercromby. There be divers other Humes, captains, that would be glad to change for a company of cuirassiers. Sir Alexander Hume of the Privy Chamber hath written to me about this business and my nephew hath written also to him; if you see him I pray employ him in it. [2 *pp.*]

Jan. 16. 50. Petition of Hum[phrey] Streete, on behalf of Robert Milleran, infant, to Francis Lord Cottington, Master of the Court of Wards. That you will take into consideration the draught of an order hereto annexed and sign it, for reasons therein mentioned; that the course of justice be no longer interrupted nor petitioner forced further to complain, it being, under favour, very unreasonable that his Majesty's ward after he is of full age should detain another man's estate or be

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protected therein against the proceedings of other courts of justice by colour merely of not suing his livery, which is an act of his own default. Therefore petitioner craves present relief. *Underwritten,*

50. I. *Let this be moved in open Court and consideration shall be had thereof, petitioner giving notice to the other side. Francis Cottington.* 16 *Jan.* 1640[–1]. [*Copy.* 1½ *pp.*]

Jan. 16. 51. Another copy of the same, but addressed to Lord Cottington and Sir Rowland Wandesford, Attorney of the Court of Wards. [1 *p.*]

Jan. 16. 52. Petition of William Cardinal the elder, and William Cardinal the younger, to the same. Many days last term were spent in hearing the cause wherein petitioners are plaintiffs against Francis Middleton and others defendants, and on October 27 last it was ordered that cases should be presented by the plaintiffs and defendants, which is done, and both cases are recorded as the course of this Court requires. The case of defendants is not truly stated, so that petitioners have just cause to except thereto, and it is so done by defendants on purpose to gain time, that the cause may not be determined this term. Petitioners pray that Sir Rowland Wandesford [Attorney of the Court of Wards] may be attended by counsel on either side that he may hear petitioners' just exceptions, and state the case; and that you would appoint a day next term for determining the cause. *Underwritten,*

52. I. *I desire Mr. Attorney of the Court of Wards to consider this petition, and calling the parties before him to procure an agreement on the case, or otherwise give direction as he shall think fitting. Francis Cottington.* 16 *Jan.* 1640[–1]. [*Copy.* 1 *p.*]

Jan. 16. 53. Account by Sir Wm. Russell and Sir H. Vane, Treasurers of the Navy, of ship-money received by virtue of writs issued in November 1638. Total received, 56,429*l.* 9*s.* 8*d.*; remaining to be paid, 13,320*l.* 10*s.* 4*d.* [1 *sheet.*]

Jan. 17. Whitehall. 54. Order of the King in Council. Whereas by virtue of an order of March 11 last the sum of 80*l.* was deposited in the hands of Sir Wm. Beecher, one of the clerks of the Council, which order being by an order of this Board of 3rd of this January vacated and disannulled, and Sir Will. Beecher having paid back the 80*l.* to Anthony Smith, as appears by a receipt under the hand of Smith dated the 15th of this month; his Majesty, and the Lords, being this day acquainted therewith by Sir. Wm. Beecher, did well approve his payment of the 80*l.*, and ordered that an entry should be made of the Lords' approbation thereof in the Register of the Acts of Council, for Sir William's further indemnity. [*Draft by Nicholas.* ⅔ *p.*]

Jan. 17. 55. Pass for Manuell Dellanos and Stephen Martines, two Spaniards, to return to their own country; with the usual clause to the searchers. [*Minute.* ¼ *p.*]

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Jan. 17 56. Petition of William Ford, grandfather of William, son and heir of John Ford, late of Freshford, Somerset, to Francis Lord Cottington, Master of the Court of Wards. Petitioner's son, John Ford, lately died seized of land held of his Majesty in capite, and has left William Ford his son, an infant 19 years old, whose wardship belongs to his Majesty. Petitioner prays you to grant the wardship to him, and he will forthwith find an office, and return the schedule of the estate within the time you direct. *Underwritten,*

56. I. *Let petitioner have a writ or commission in the nature of a* Diem clausit extremum *to find the office, and let the office together with a schedule, and confession of the estate be returned the last sitting on compositions in Hilary term next. Francis Cottington.* 17 *Jan.* 1640[–1]. [*Copy.* ¾ *p.*]

Jan. 17. Burdrop. 57. William Calley, to Richard Harvey. His father, Sir William Calley, died to-day half an hour after noon. Requests Harvey to come as he wants his advice on various matters. Has some brawn ready for Mr. Porter. [*Seal with arms.* 1 *p.*]

Jan. 19. 58. The Council to Lord Treasurer [Juxon]. We pray and require you to cause to be paid as soon as possible the 200*l.* 2*s.* 1*d.* for the emptions necessary to complete the furnishing of his Majesty's forts at Plymouth, and St. Nicholas' Island adjoining with powder, shot, match, &c., as appears by a certificate of the officers of the Ordnance. [*Draft.* ⅔ *p.*]

Jan. 19. 59. The same to Mountjoy, Earl of Newport, Master of the Ordnance. We pray and require you to give present order to the officers of the Ordnance to issue all the munitions mentioned in their estimate for furnishing the forts at Plymouth and St. Nicholas' Island, as being in store; we having directed the Lord Treasurer to order the payment of 200*l.* 2*s.* 1*d.* for the emptions, which upon receipt thereof, we also pray you, may be provided and delivered accordingly. [*Draft.* ½ *p.*]

Jan. 19. 60. Petition of James Whitehall, clerk, described in the endorsement as "a mad parson," to the Lower House of Parliament first, and after to the Upper House. He describes himself as having been turned out of his house of Christchurch, Oxford, and of the livings of Benson, and Drayton, Oxon., and unlawfully deprived of the profits thereof for 20 years; and he prays for a decree of Parliament to reinstate him, and give him full arrears, and damages. He requests that this petition may be read "in the third place, after the complaint, and catalogue first read, and after examination according to the way shewed in the complaint." *Addressed:* "Your enforced petitioner to this High Assembly. Written January 19th. 1640, from the Hospital of Bethlehem, [London,] where I am detained as a prisoner, though it be no prison of record neither as I suppose." [3 *pp.*]

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Jan. 19. 61. Petition of James Langley, master of the ship "the James" of Colchester, to Sec. Vane. Petitioner was pressed to transport 440 quarters of rye from Hull to Berwick for the garrison there, being promised, by letter directed to the Mayor and Customer of Hull, and signed by yourself and other Lords of the Council, that on certificate of delivery of the corn, order should be given for payment of freight to petitioner; which service he has faithfully performed, and obtained a certificate from Sir Michael Ernle and William Spencer, keeper of his Majesty's stores in Berwick, of the delivery of the corn. He prays for present payment of his freight *Underwritten,*

61. I. *It is his Majesty's pleasure that the Lord Treasurer cause present payment to be made to petitioner according to the estimate of the Trinity House of Hull, hereunto annexed, amounting to* 41*l.* 16*s.; petitioner having long since been employed in that urgent occasion of his Majesty's service. H. Vane, Court at Whitehall, January* 19, 1640[–41]. [1 *p.*] *Annexed,*

61. II. *The above mentioned certificate by Sir Michael Ernle, and William Spencer, of the delivery by Langley of the said corn. November* 10, 1640. [½ *p.*]

61. III. *Certificate by the Masters and Wardens of the Trinity House, Hull, that they assess the freight of the corn from Hull to Berwick at* 41*l.* 16*s. December* 7, 1640. [1 *p.*]

Jan. 19. Whitehall. 62. Sir Robert Anstruther to Edward Viscount Conway. Hearing from my servant in the country that last week, 10 or 12 of Captain Porter's troop have come to my house at Wheatley, near Doncaster, and, by command of their quartermaster, violently broke open the gates, and make use of what they find in or about the house; my suit to you is that you would order their removal thence, and that a safeguard may be given to the house for preventing further inconvenience. [*Seal with arms and crest, broken.* 1 *p.*]

Jan. 19. Covent Garden. 63. Sir William Uvedale to Matthew Bradley. By yours of the 15th inst., I find you have paid the army one week's pay to and for December 8, and I am very glad of it, but I find not how the officers, general of the field, or of the Lord General's train, or the commanders of the brigades stand: The Lord General himself, and his secretary I have paid here out of the 410*l.* that was stayed for the petty sums your letter speaks of, which amount to 117*l.* There is of that money not yet received by you, 50*l.* of Sir John Suckling's, and 20*l.* of Sir Richard Greenvile's; but your 100*l.* returned on me by Lieutenant Colonel Buck, and Lord Grandison's moneys, and 100*l.* that Lord Lisle's officer has paid to Miviett, I intend to stay out of the next moneys, which I now daily expect order for, and I hope, will be a full month's pay; therefore if you have any bills of exchange I am now ready for them, if I know of them before the money goes hence which will not be for a week at

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soonest, for it must come through divers hands, and from divers counties. The Parliament is slow, but they will certainly pay all at last, and this is the greatest comfort I can give you both for the commander and the soldier. I am glad you have some stock of chash [cash], I hope much of it will fall out to be of the King's money before November 10; be as secret in it as you can, because some use may be made of it to pleasure friends. I will speak with Sir William Ogle touching the acquittance, and have written to Leech for a list of those officers that have fasted 14 days, and let him know the Lord General has commanded it of me, and you may also say you have order from me to tell him of it. P.S.—Sir John Cholmeley desires me to return him from York 700*l.* or 800*l.* now in Alderman Hodgson's hands, if you think good you may acccept it, and I will stay it here. [3 *pp.*]

Jan. $\frac{19}{29}$. Paris. 64. Robert Reade to his cousin Thomas Windebank, Gentleman of the Privy Chamber. Takes the opportunity of giving him thanks for his numerous favours, sends this by his cousin Christopher Windebank, who is come to you to bear his share in the discontentment for our misfortunes; I pray God your endeavours, which I doubt not are as well spiritual as temporal, may prevail to the accommodation of these distractions. [*Seal with crest.* 1 *p.*]

Jan. 20. Whitehall. 65. Licence for Christopher Gardiner of Haling, Surrey, and Onslow his son, now beyond seas, to remain there for three years; with a proviso not to go to Rome. [*Minute.* $\frac{1}{3}$ *p.*]

Jan. 20. 66. Bond of Thos. Blackall, merchant, of the parish of St. Bartholomew, Exchange, London, to Lawrence Squibb, James Progers, and Robert Squibb, in 200*l.*; the condition of the bond being, that as the said Blackall has been fully satisfied by Squibb and the others for all suits, debts, and claims he and his heirs have, or shall have against them; if he or his heirs, sue or molest them hereafter, this obligation is to be void, or else to remain in full force. [*Latin and English. Strip of Parchment.*]

Jan. 20. 67. Release by the same, discharging Lawrence and Robert Squibb and James Progers from all suits, debts, or demands he has or shall have against them by reason of anything done by them to this present. [*Seal with device.* 1 *p.*]

Jan. 21. 68. Sir John Wray's speech in Parliament about the Scotch business. No malady is more destructive to the natural or politic body than the *mal caduc* or falling sickness; nor is any physician or compound more to be esteemed than that which can cure it in either. This unknown remedy, if we apply it without any scruple of distaste, I am confident the recovery will be perfect and the whole body of Great Britain safe and sound. The happy union of Scotland to England hath long flourished in interchangeable blessings, but of late by dark underminings we are severed into Scotch and English armies. Let their [the Scots'] well composed preamble speak for me, which I wish were printed as an excellent emblem of brotherly love

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1640–41. that discovers who has wounded us both and how each should help the other, seeing our and their religion and laws are both at stake. Think of it, noble senate; their substance is ours, we live or die, rise or fall, together. Let us then find out the *boute-feux* of this prelatical war and make them pay the shot for their labour, who no doubt long for nothing more than that we should break with them who worship but one God, and serve but one master with us. Nor need we fear that they intend to disposses the English of their inheritance, being ready to withdraw their forces on reasonable terms; referring their demands of reparation for losses to the justice and courtesy of this House, which I assure myself will give a bountiful and speedy supply; for *bis dat qui cito dat* is the best motto at this time. [½ *p.*] *Underwritten,*

68. I. *The resolution of the House of Commons, passed January* 22 1640[–41], *to give friendly relief to the losses of the Scots; the manner and measure to be considered in due time,* [*See Commons' Journal ii,* 71: 3 *lines.*]

Jan. 22. 69. Another copy of the above resolution. [¼ *p.*] *Underwritten,*

69. I. *The Scotch Commissioners' answer to the said resolution, January* 25, 1640[–41.]

69 II. *Question of the English Lords Commissioners in reply to the above answer of the Scotch Commissioners; January* 26.

69. III. *Answer of the Scotch Commissioners to the said question, January* 26, 1640[–41]. [*Copies: printed in the Lords' Journal, iv,* 145: 1¼ *p.*]

Jan. 22. Feb. 1. Paris. 70. Sir Francis Windebank to his son Thos. Windebank. I have had a letter from her Majesty the Queen this week, written all with her own hand, full of very gracious promises to take me into her care. It came under a cover of Mr. Montague to whom I have addressed an answer, and therein a letter to her Majesty not only thanking her but humbly praying her to take you into her particular consideration, which I shall take as done to myself. I have found Mr. Montague full of respect and civility toward me since my disaster, and I will not fail to acknowledge it where it shall fall within my compass. I have written to Lady Denbigh according to your desire, and that to Lady Arundel you may give your brother Kit [Christopher] to deliver, who went hence two days since. It is much controverted here whether the Holland ambassadors demand in marriage the eldest Princess Mary or the younger, and the dispute grows from the variety of advices that come out of England: I desire you to clear it in your next. Thank Nanne for her ingenious letter, and Jack for his epistle. P.S.—I have not yet received my trunk though I understand it has been at Dieppe these three weeks. This week my Lord Ambassador here [Robert Earl of Leicester] has vouchsafed me another visit, which is a great honour to me and taken for no ill omen. [1 *p.*]

Jan. 22. 71. Robert Read to the same. Thanks for his letter of Jan. 15. I am glad to find our letters pass so clearly, it being a sign in my

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opinion that the malice is not so great against us as we apprehend. Gives directions about sending summer clothes for his uncle [Sec. Windebank] and himself. You will give me leave to differ from you concerning the censure of the Lord Keeper [Finch], for I do not find how by that we shall be able to judge much of our friend's business, their cases being so far from being the same that they are almost contrary; his lordship being charged, I conceive, with advising the King and acting himself such things as have been destructive to the laws, wherein the King cannot warrant him, and I am sure Mr. Secretary [Windebank] cannot be charged with any advice given to the King concerning the Roman Catholics, nor with acting anything without the King's warrant for every particular. And in this respect I hold our condition better than any now under question, that the King may justly and confidently avow [avouch] Mr. Secretary, which he cannot do to the rest, and upon this you must insist when you have occasion. Besides, I will affirm, and it stands with all reason, that the King is more obliged in honour to avow his Secretary, who is the immediate executor of his commands than any other minister whatsoever, especially since his Majesty knows that nothing wherewith they can charge him has been done without his command, which is a real truth and we find here that the King suffers more in his trouble than in that of any of the rest. We say here that the Scots demand 800,000*l.* for their charges; I wonder they made it not up a million, and I should wonder more if any should be granted, except we mean to become tributary to them, and to give them money as often as they will come and ask it. I do not remember that I ever saw any resignation of Robert Wood to Mr. Makin, but two parchments were left in my little box where I kept the seals, concerning the business which should have been signed by the King, but his Majesty refused them once when I presented them to him, and he was pleased to refuse them twice to Mr. Secretary [Windebank]. If they desire those parchments they may have them without inconvenience. Most confident he left Mr. Pierce's money in his chest in his study. Some sentences in cipher. Instructions as to where he will find certain sums of money and papers described. When you shall favour me with an answer to my last week's dispatch in cipher, do so in a letter by itself for the reasons I represented to you there. P.S.—I have not yet heard of Mr. Porter, I beseech you convey this to him. I believe my cousin Christopher and these letters will come to you about the same time. [4 *pp.*]

Jan. 22. 72. Sir John Conyers to [Edward Viscount Conway]. I have again spoken with Mr. Henn about your entertainments, but here is no money for you nor anybody. He promises to write again to Sir Will. Uvedale, and had done so formerly; he showed me his answer, which was, that though money were due to your Lordship you could not be paid before the army, and it was against his instructions to pay any money at London. If you receive it not there let me know, and I will get it from the first money that shall come down. The 60,000*l.* you speak of will not help much for this army, for there is 7 weeks' pay due to each man on Tuesday next. I

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send you again a copy of my letter to his Excellency. I have written again to Sir Fulke Huncks to bethink himself what quarters would be best for your Lordship's regiment; he says he can find none better than where they are, but I fear your own troop will be constrained to remove from Cottingham. I humbly thank your Lordship for the pains you have taken in finding out the King's letters and in sending them for Lieutenant Hume. I believe Sir Fran. Windebank got not his Majesty's letters to the Queen of Bohemia in Hume's behalf; I write now to Sir Alex. Hume to procure them if he can, for his brother writes to him that the Queen solicits the Prince of Orange already to bestow that company upon another when it shall fall. I believe they intend Lord Leviston [Livingston]; and it were good if by any means she could be taken off from it. Your Lordship shall do us a favour to assist Hume in it, as also to get the King to speak to the ambassadors for him. I pray enquire what will become of us at Berwick, and what of me, if all be dissolved. I send you certain copies of letters sent me by Sir Fran. Windebank into Holland whereby you and all men may see what conditions were assured me and how much I shall be injured if they take no care of me. I wish your Lordship a good journey if you come down, but if it be not for your advantage I wish you may stay there. P.S.—I had thought to have sent you the copies of certain letters sent me by his Majesty's order into Holland by Sir Francis Windebank but I think they will be troublesome to you in these busy times and therefore I forbear to do it. [2 *pp.*] *Enclosed,*

72. 1. [*The same to Algernon, Earl of Northumberland.*] *Upon information given me of that part of the country, twixt Doncaster and Knaresborough, which your Excellency had appointed for the quarters of the troops, I found they would be scantly lodged, and therefore at the request of the officers of the Guard I gave them Knaresborough, Harton, Somerby, Springthorpe and Lee, four places near that town, believing that town might as well be taken into the quarters on the one side as Doncaster on the other; but when the three troops came thither they found those places too strait for them, and therefore by advice of some of the chief men thereabouts, they took in those other places where they now are of themselves without my order; but Captain Yarner coming presently to me with some of the country to excuse what they had done, and giving me reasons for it, I gave them warrants for those places. The like is done in the quartering of my regiment and Mr. Wilmot's on the other side, for they have taken in more than I ordained them; and though I believe it is for the ease of the country that the troops be largely lodged, yet I know every one ought to follow his directions; but wanting a quartermaster to do it, they, it seems, would be their own carver in some sort. Therefore I beseech your Excellency let the Quartermaster-General be sent down, for provision growing scant throughout the whole country, I fear there will be occasion to remove some troops every*

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day. I send herewith a letter from Rotheram from Captain Pinchbeck by which, as by the daily complaints that come on both sides, your Excellency may perceive that we have very few friends left in these parts, and the country [is] altogether unwilling to receive us: and from Doncaster and those parts men of the country have been already with me to solicit the removing of those troops which are not yet warm in their quarters; but if we had money and more officers we should do better. No other troops shall henceforward remove but into those parts your Excellency ordains without your express order; and I hear not yet but that the rest of Lord Carnarvon's regiment may stay where they are. Those of Cottingham will shortly expect an answer, which without order from your Excellency I cannot give them. Lieutenant-Colonel Gibson is sick and advised by the physicians to retire southward, whereto he has desired my leave. I pray your Excellency some other in the meantime may take the command at Stockton. [*Copy.* 1 *p.*]

Jan. 22. Warrant of the Council of War to Thomas Falconberg to issue to Captain Henry Yonger, comptroller, and to Henry Bludder and Edward Dankaert, gents of the ordnance of the train of artillery for the south parts, one month's pay to be accompted from the 6th present inclusive. [*Minute.* ¼ *p. See vol. cccxcvi., p.* 351.]

[Jan. 23.] 73. Petition of Lambert Osbaldston to the Lords Spiritual and Temporal now assembled in Parliament. This petition is given in full by Rushworth who, however omits the following :—Since the said heavy sentence was procured by these unjust and undue proceedings, viz., 1. Denial of due time according to the rules of the Court to examine his witnesses, by a false allegation of a precedent of 44 Eliz. varying in every circumstance from petitioner's case. 2. Admitting of Cadwallader Powell's testimony against petitioner, who was sentenced in this Court for subornation but a twelvemonth before, and of Walter Walker's, whom the Lord Archbishop had openly declared to be the veriest arrant knave in all that cause in which Powell was fined; which said Walker and Powell were the only witnesses in this cause. 3. The expunging of several depositions and letters whereby the said Powell and Walker were found to have shamefully combined with others to fasten these interpretations upon the defendant contrary to the truth, upon no other reason given by Lord Finch than that those proofs would blemish his Majesty's witnesses. 4. The depriving and degrading petitioner by his Grace and other High Commissioners, who had not one word in their commission to enable them so to do in this cause, and are therefore in a præmunire for that usurpation of jurisdiction, and to repair your petitioner with damages; as also the Lords of the Star Chamber have no power to sentence any subject from his freehold. 5. By supposing against law your petitioner's letters to have been published by the Bishop of Lincoln, &c. [*Printed in Rushworth iv., pp.* 81, 82,

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and see Lords' Journal, iv., 140, *for order on the said petition.* 2½ *pp.*]

[Jan. 23.] 74. Another copy of the above. [*Endorsed by Sir John Lambe:* "Co[py] of Mr. Osbaston's petition against Walker and Powell." [2¾ *pp.*]

Jan. 23. / Feb. 2. The Hague. 75. Elizabeth, Queen of Bohemia, to Sir Thomas Roe. I am sorry to see by your wife's last letter to your daughter that you are so troubled with the gout I cannot have your letters; for I desire very much to hear your opinion of the match and transport of my niece now hither. I desire Sir Richard Lane to show you what I have written to him. My son has been very much made of by my uncle; he is on his way hither. When he comes from Hamburgh you shall have all that has passed between them. Banier is now before Amberg [a town of Bavaria], and uses Maurice extremely well. [*Two seals with arms and crown.* 1 *p.*]

Jan. 23. London. 76. [Geor]ge Willingham to Mr. Hering, minister of God's word at Doddinghurst, Essex. Sends his son's clothes and necessaries; hopes he will prove obedient, and ingenious in his learning, and that God will give him grace to love and serve the God of his fathers. [1 *p.*]

Jan. 24. 77. The Council to [Algernon, Earl of Northumberland], Lord High Admiral. It is his Majesty's pleasure that his ship the Swallow, now in Ireland, shall be employed this year to guard the Irish seas. We therefore pray you to order that it be victualed and furnished, out of the revenue of that kingdom, for as many months as you shall think requisite. [*Draft.* ½ *p.*]

Jan. 25. York. 78. Sir John Conyers to Edward Viscount Conway. I received this afternoon a packet from you; in it were divers letters from Holland, and the enclosed from Capt. Burgh, but none from you; the packet was torn to pieces and the letters only tied together with a string, having been found floating in the water betwixt London and Royston, as the enclosed paper mentions. You commonly send your own letter without a cover, and open; if you have written now, it is either taken or lost out of the packet. If you did write I beseech you to write again, I have nothing to inform you of hence but of the misery we are in for want of money; and the poor men of Berwick far more, 12 weeks pay being due to the officers. Sir Michael Ernle writes that the soldiers receive and can live on the butter and cheese, but some of the officers are ready to starve, there being no credit and they having eaten out all the pawns they had. He says the horses can eat no butter and cheese, so that for want of forage in the town or money to buy it he must send them to lodge in the country; if they refuse them, as he believes they will, they must perish. I have written so often of our want of money to his Excellency [the Earl of Northumberland] I dare do it no more,

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but I pray you speak with him on it and use the best means to supply us. Mr. Payler is at London to solicit the business of the garrison; I pray speak with him on it. He told me in passing through this town that at Berwick were oats and straw enough. Sir Michael Ernle says there be oats if they had money, but at extreme rates, but no straw to be had. My people who came with my wife affirm they could not for a long time before they came thence get any straw for money. [2 *pp.*]

Jan. 25. Covent Garden. 79. Sir William Uvedale to Matthew Bradley. I have received yours of the 22nd inst., by which I find that on the making up of your Parliament book there is 5,000*l.* of the King's money remaining in your hands; and also that you have many warrants granted by the Lord Lieutenant [Thos. Earl of Strafford] that are yet unpaid, as that of 4,000*l.* for the billeters in the country, for the commanders for the fasting fortnight, which will come to 3,700*l.* and other great sums; and therefore we cannot enter into the payment of them and reserve any for ourselves or our particular friends, therefore they must be laid aside until the end of our business, and as much secrecy used as may be to persuade that there is no money of the King's in your hands, for certain moneys are due to me out of it and some entertainment to you; besides, you know I lent the King 1,000*l.* which I have no hope to get in again except out of the surplus of these moneys, and it is the rule that we ought to look to ourselves in the first place. My Lord General, I know not how, has learnt there is some of the King's money remaining in our hands, and he has twice sent to me for the three months entertainment due to him up to November 10th last; but I have put him off because I cannot yet so distinguish the accounts as to know what is remaining, you see by my answer I dare not deny that there is some. The King also has twice demanded the 5,000*l.* lent out of his privy purse at York, but I have answered I fear there will be none left or at least not enough to satisfy such a sum. Thus you see the necessity for secrecy as to what money of the King's you have in your hands; yet I think it reasonable Colonel Goring should be paid his brigade moneys, and the warrant of Mr. Cross, the apothecary for the Lord General, has importuned it. For Sir Jacob Ashley's particular for his fasting fortnight, desire him to have patience till the end of our business, and then you may assure him he shall have it; if you pay him now it will draw all the rest of the officers upon you for that 14 days, for he cannot hold his peace. Cross's money must be paid here to Dr. Cadimant for he laid it out for drugs for him, when he gives you his acquittance I will pay it here. Your Parliament charge is very just, 66,000*l.*, whereof I charge myself with 1,410*l.*; but I fear some of the clerks do not understand me in this point, for I find your charge upon Henn of the Parliament moneys is 3,600*l.*, and he has sent an account of his disbursements since November 10th amounting to 4,000*l.* Inquire into this the next time you speak with him, for if this be so he has 400*l.* of the King's money in his hands. I am glad all the officers of the field and train are paid to December 8th, I mean all such as are with

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you, for you know that you and I lie yet behind. Captain Horatio Cary has got one of the cashiered companies in Sir William Ogle's regiment; I have lent him 20*l.* to carry him down, to be defalked out of his next entertainment. Colonel Goring has sent you here a letter touching the present defalking of 100*l.* of his entertainment for Sir John Suckling, and for some more after Jan. 14. I also send Sir John Suckling's assignment to you to receive it, which when you have done, I will pay it him here. This is for some gaming debt, and so it must pass. Sir William Ogle has entreated me to pay him his entertainment here, and I am willing to do him this courtesy as he is my neighbour and countryman in Hampshire; if you like it, pray send me the form of an acquittance. Our money would have been on the way before this, for it was ready to be sent in, but for this accident. These sessions a priest was condemned at Newgate, whom the king reprieved, whereupon the City absolutely refused to send in their moneys. The issue of it will be that in a day or two the man will be hanged, and we shall have our money, which I will hasten down. I send a list of the moneys the King owes the army before November 10th, which has been delivered into the Parliament, and must be paid by them or the King. [6 *pp.*]

Jan. 25. Dorchester.

80. William Ivye to his sister Elizabeth Bottom. Last Saturday the 23rd inst. I received your two letters, but broken open, by whom I know not. By one of them I understand that by the Earl of Dorset's or Sir Henry Compton's means you may do me and my fellow captives much good. I have hastily drawn out a petition, on behalf of the parties therein contained, to his Majesty, which I here send you. Sister, if you can by any means cause this petition to take effect and that the parties mentioned in it may gain their liberties in a just way, according to his Majesty's letters patent made for the benefit of prisoners, that is, to have time to pay their just debts and no exactions then, they, the parties named with me, will give to such clerks as you shall employ 10*l.* and somewhat more, if this reference may be granted and take effect. If it be granted by his Majesty, make means to the Earl of Dorset for his letter to Sir Francis Fulford or Sir Thomas Trenchard to take some pains therein for the prisoners' relief; and by such means it may take speedy effect. Also I entreat you, sister, ask such able clerks as you know, whether men committed to prison for want of bail can be kept from the Assizes or General Sessions by their keeper, by reason of any writs or executions laid against them after they are imprisoned, upon the good behaviour and before they are freed thereof. Sir Lawrence Hide, justice of peace for Wilts, sent a man of 100*l.* per ann. to gaol for want of bail upon the good behaviour, and immediately after he was imprisoned the sheriff of the same county laid in an execution of 120*l.* against him; whereupon he acquainted Sir Lawrence Hyde with the sheriff's proceedings, who presently sent for the keeper and commanded him to bring the prisoner, and took bail for his good behaviour and set him at liberty, and told the keeper the sheriff should get him again upon his execution as well as he could; for

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said he, justices of peace shall not be bailiffs for sheriffs. I and William Polden mentioned in the petition, were brought to prison for want of bail on the good behaviour and more for spleen than matter; and afterwards writs and executions were laid against us so that we could not appear at Sessions to free ourselves; but if means may be made that Sir Thos. Trenchard or Sir Francis Fulford may take bail of me and Polden and so set us at liberty, notwithstanding any writs or executions against us, Polden will give 5*l.*; and I believe it may be done, for the King must be served first. I pray be resolved thereof and cause it to be effected if you can. [*Damaged.* 2 *pp.*]

Jan. 26. Aston. 81. Robert Bee to Endymion Porter. Mr. Sanders has made trial of your hawk and thinks it is not so good as you took it to be. If you have a stone bow to spare, send it down that I may use it to kill birds. [½ *p.*]

Jan. 27. Whitehall. 82. Order of the King in Council. This day was read to the King in Council the answer of Sir George Ratcliffe to the particulars expressed in the remonstrance presented to his Majesty in Council, the 3rd of this January, by a select committee of the House of Commons in Ireland; when his Majesty declared he had sent the said answer to the Lord Lieutenant of Ireland, who sent his Majesty word that he had perused it and did avow and would humbly abide by it; and upon hearing every particular article in the said remonstrance, together with the several answers to them this day read, it was ordered that a copy of the answer should be forthwith given by the Clerk of the Council to the said Committee. [*Draft.* 1 *p.*]

Jan. 27. The Court at Whitehall. 83. Council warrant to Algernon, Earl of Northumberland, Lord High Admiral. To order the present building of a pinnace on the same model as the "Confidence" now in Ireland, which is an extraordinary good sailer, but grown so defective she is not fit to be employed any longer at sea. You are to sell the hull of the Confidence, and such of her tackling as is unserviceable for the new vessel, to his Majesty's best advantage, according to the opinion of the Council in Ireland expressed in their letter of the 12th inst. to your Lordship. [1 *p.*]

Jan. 27. 84. Minute that this day Richard Browne, Esq. was sworn Clerk of the Council in ordinary, in place of Sir William Beecher who voluntarily resigned his patent of the said office. This was by his Majesty's pleasure signified to the Board by Sec. Vane. *Underwritten,*

84. I. "*Mr. Maxwell to see the petition of Mr. Lewis and certify the Board how far he consents to petitioner's desire herein expressed.*" [½ *p.*]

Jan. 27. 85. Cases in the Court of Wards considered and ordered under date. The following cases were dismissed: Tho. Hillersden *v.* Will. Duncombe, Henry Pigott *v.* Francis Lynn, Will. Brigham *v.* Joseph Colfe, and James Newton *v.* Henry Smith. The following cases

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were proceeded in: Dame Barbara Crompton, widow, grandmother of the ward, and Francis Eld the ward, being over 18 years of age, petitioned, Jan. 23, 1640[–41], by two several petitions, that the wardship of the body and lease of the lands of the ward might be committed to John Crompton his uncle, and Tho. Crompton another uncle, who is not so capable of it nor so responsible for the estate. [*For further proceedings in this cause see Jan. 6, No. 30.*] Ordered by Francis Lord Cottington, Master of the Court of Wards: "Let this be moved upon the next sitting at compositions, and petitioners' request shall be further considered." Henry Warren, being next of kin to deceased, petitioned for a writ de mandamus to find an office after the death of John Warren, who died about two years since seized of divers lands in Herts. Petitioner being of full age and very poor, as appears by his affidavit of Jan. 25, desires to be admitted *in formâ pauperis.* Ordered: "Let this be moved at the next sitting upon compositions, and further consideration shall be had. Francis Cottington." Robert Gale, clerk, petitioned to have a decree, formerly made in this Court, performed, whereby he was to have an annuity of 40*l.* per annum out of the estate of Philip Vicount Strangford, his Majesty's ward, to be paid him by Lady Barbara Vicountess Strangford, which accordingly was done as long as she had the wardship, but the wardship being by this Court transferred to Sir Thos. Fotherley, he refuses to pay it without the order of this Court, petitioner being 2½ years or 100*l.* in arrear. Ordered: "Let this be moved in open Court on Monday February 1 next, and let Sir Thos. Fotherley have notice to attend the motion. Fra. Cottington." Dame Anne Fane and Henry Lucas petitioned for respite till next term to return the office after the death of Sir George Fane, and to compound for the wardship of Spencer Fane his son, alleging that they cannot get the writings which concern the estate into their hands. Ordered: "Let petitioners return the office and attend with a schedule, &c., the first sitting in Easter term next. Fra. Cottington." [*Copies.* 1¾ *pp.*]

Jan. 27. Doncaster. 86. William Aire to [Edward Viscount Conway]. I have considered your letter, and for answer I have written a letter to his Majesty which I hope will give him good satisfaction in the business; I enclosed it and entreat you to deliver it to his Majesty. Be assured no man shall know anything of me till I know his Majesty's pleasure. [½ *p.*]

Jan. 27. London. 87. John Ambler to Endymion Porter. I desire you not to be offended at my boldness in preferring my petition enclosed, you are to determine it at your pleasure, it is for myself. On Sunday when I came to London your sister encouraged me to seek to you because I was her husband's kinsman. Many men in London of good account can certify what I am and have been so I leave it to you. [½ *p.*]

Jan. 27. London. 88. George Willingham to his son John, at Doddinghurst. Exhorts him to seek God in his youth. Sends the things he wanted; by the

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next opportunity I will, according to your desire, send a pair of boots and spurs if you know how to wear them. Behave dutifully to your master and mistress and lovingly to your fellow scholars, labour to get the love of all that are good and God will bless you the better. [1 *p.*]

[Jan. 27 ?] 89. Ann Willingham to the same. Rebukes him for not obeying his parents and sending his old clothes home as she bid him. If we are not worthy to have the disposing of your old clothes you are not worthy to have new. For the musket, if your father could see it, and if he thought it would not be a means to do you a mischief hereafter, when he hears of your better obedience he will be willing to let you have that or anything that might be for your good. You are under the means of grace, but little fruits yet appear. I desire you to look to your heart in every duty you perform to God, that you be not of those that draw near Him with their lips while their hearts are far from Him. P.S.—Send your old clothes speedily for we send all our old apparel to Ireland to cover the naked there. List of things now sent in his box. [1 *p.*]

Jan. 28. / Feb. 7. Paris. 90. Sir F. Windebank to Queen Henrietta Maria. If I presume more often than becomes me to importune you with mine impertinencies, I beseech you to consider that I can never often enough acknowledge the inexpressible and invaluable honour vouchsafed me by your late gracious letters; and that besides many disasters which accompany a broken fortune and afflicted heart, this is infallibly one, to be importunate even to incivility. I understand Mr. Treasurer [Vane] is to leave that place and hold that of Principal Secretary only, to which there belongs a diet, the board wages of which diet his Majesty has been pleased hitherto upon your princely intercession to continue to me, and without which my present fortune is so low that I and mine must be exposed to want. This I most humbly beseech your Majesty to take into consideration, and to vouchsafe my son the honour to be your most humble remembrancer for some relief, that in the midst of the great alterations in Court I may not be wholly excluded from all hope of subsisting after so many years painful service. I have received much honour from my Lord Ambassador here, and from the ministers of this King in my relations to your Majesty, for which I most humbly beseech you to accept my most humble thanks. [1 *p.*]

Jan. 28. / Feb. 7. Paris. 91. The same to his son Thos. Windebank. I do not find in your letters of Jan. 21 any mention of the Queen-mother, whose death has been so commonly reported here this week that I verily expected a confirmation of it from your parts. But seeing neither yours nor other advices I have seen give the least intimation of it, nor did my Lord Ambassador [Robert Earl of Leicester] within these two days seem to have knowledge of any such thing, I shall suspend my belief till I have further ground for it. This report grew from another, that last Monday at night an express came

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hither from England with news to that purpose. But the ministers here will acknowledge no such thing, though M. de Chavigny, with whom I passed my first compliment yesterday, himself spoke of the report as very frequent. Besides, if it be true, they will pass by it for a while, till this great solemnity of the marriage of Madlle. de Brezé with the Duke d'Auguyen [D'Enghien] be over, which begins to-day; and the King, ill as he loves this town, comes purposely hither to be present at the fiançailles, and after that at the Cardinal's [Richelieu] ballet [or mask], which is to be at the Hotel de Richelieu to-night. Among many other great civilities done me by M. de Chavigny, he gave me a special invitation in the Cardinal's name to the ballet; and though such a gallantry be not agreeable to my present condition nor liking, yet he pressing it and assuring me the Cardinal had already taken special order for my accommodation there and would understand it as a great honour to him, I held it not civil to refuse. So I am to be there in the afternoon and make account not to be free till to-morrow morning at three or four at soonest. I have not yet seen the Cardinal, which makes this favour the greater, but M. de Chavigny says this must be no impediment to my going to the ballet; and that after the magnificence of the marriage is past, himself has order to bring me to him, and I must make account to be very welcome to him and exceedingly well received. They are somewhat troubled here that the Duke de Vendome has given them the slip, and withdrawn, some say into England, others the Low Countries. He was sent for upon accusation of three who disguised themselves as hermits, and being discovered and apprehended have charged the Duke with having employed them to bewitch or poison the Cardinal. Some think them but charletans, but the Duke's retreat gives occasion of suspicion. Mr. Treasurer [Vane's] rendering up his white staff may concern me in my board wages for the diet, without which, if some other consideration be not had of me, I shall quickly find myself straitened in my weak fortune. Therefore you will do well being on the place as soon as you hear Mr. Treasurer has the diet to be an humble suitor to the Queen in my name to take me into her gracious consideration, and to move his Majesty that some course may be taken for my subsisting, being likely with my family to be exposed to want. I recommended you to her Majesty's favour last week, and besides she has commanded you to make addresses to her upon any such occasion. I am not willing to importune her too often with letters, and besides your continual solicitations will more preserve me in her memory than letters, which are for the most part laid aside, and by reason of other businesses, not much thought on. Her Majesty's promises to me were so full of grace and freedom, I am confident upon your intercession somewhat will be done for me upon these alterations, and therefore you must follow it close, the manner and matter, by pension or whatever else, I leave to you, having formerly given you some instruction therein. I am changing my lodging to the Faubourg St. Germain in the Rue de Tournon, the place where I am being very unquiet and close, and inconvenient. But my charge will be somewhat greater there, which, though I

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have little need of, yet I must endure for better air, hoping God will provide for me, or else shortly put an end to the course I am now in, by some way or other. The trunk of secret papers I think safest where it is, therefore you need not stir more in it. P.S.—I have at last received my trunk safely. [3 *pp.*]

Jan. 28. / Feb. 7. Paris. 92. The same to the same. Since writing the other that goes herewith I have been at the Cardinal's ballet, the design whereof was a representation of the late victories this King has had by sea and land against the Spaniards; and the scenes were changed according to the sea and land services both in besieging of towns and firing of fleets at sea. The scenes were very well set out, but those that had the ordering of them were not dexterous, so that when they were to be changed they often stuck in the opening and shutting; and the ships were many times on ground, and could not slide without the help of some hands that often were seen, which took off much of the grace. Otherwise there was the utmost variety of scenes with dancing, singing, and exquisite music; also of rich apparel fitted to the persons and actors, that I have seen, and I believe much beyond anything of this kind formerly done here. The first scene was a representation of Hell, and the dancers were little devils, at whose coming out and during their dancing so many squibs and sulphurous fires were cast on the stage that the whole room was filled with smoke and a very offensive smell. But after, besides many others, there were entrances of tumblers, vaulters upon the horse and rope-dancers, all which performed their parts very rarely and according to the measure and air of the music. After these scenes and dancings were passed, and the great veil of the stage let down again, there was a collation of sweetmeats and fruit brought in voiders which entertained the King and Queen near an hour; and then the veil being pulled up again, the stage was cleared of all the scenes and turned into a goodly dancing salle or hall, hung with brave gilded leather and the roof all covered with the same, and likewise a state [couch] and seats, for the King and Queen and all the ladies. This was very noble and it seemed strange it could be fitted in so short a time. There the Queen and ladies danced "the Bransles and Courantes." You may speak of these things in discourse, but show not this letter to anybody. I have now written to the Queen about my business and have left the letter open that you may see it and then seal and deliver it if you think fit. You are on the place and therefore can best judge what to desire of the Queen, and in what manner, and so I must leave it to you. But I wish you to address yourself to Mr. Montague and Mr. Germain and desire their assistance and advice with remembrance of my humble service, and thanks to Mr. Germain for his noble letter of this week. If you did the like to the Duke of Lennox and the Marquis Hamilton from me I think it will not be amiss. [2 *pp.*]

Jan. 28. / Feb. 7. Paris. 93. Robert Reade to the same. Our clothes for Lent will scarce come till Easter if they make no more haste than the others did, which we received last Friday; Wednesday next here is Ash-Wed-

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1640–41. nesday. In the bundle of cyphers were three of Sir Arthur Hopton's, besides a key to uncypher. I judge by what you write that the King has delivered Lord Cottington only the key; if so, his Lordship must ask for the rest. The last, and that only, as I think, is now in use; it is of my making, and will be easily known from the rest by my handwriting. Some sentences in cypher. I find you are still in expectation of Mr. Secretary's charge, but all who write thence besides yourself think it will not yet be delivered in. I wish with all my heart the business were dispatched one way or other, for it is a fearful thing to live thus separated from our friends, not knowing what or when will be the end of these misfortunes. M. Chavigny has been only visited yet, who has so solemnly invited Mr. Secretary to the mask this day that it cannot in civility be refused. This jollity is in honour of a marriage between the Prince of Auguin [Duke D'Enghien] son of the Prince of Conde, and a niece of the Cardinal [Richelieu] [Mdlle. de Brezé], daughter of the Mareschal Brezé. P.S.—My uncle desires to know what money has been received for board wages since our coming away, and what hopes you have of money out of the Exchequer. My cousin Christopher's trunk was sent towards Rye last Friday. [2 *pp.*]

Jan. 28. Petition of Ann Jones and Charles Price, to Francis Lord Cottington, Master of the Court of Wards. Ann Jones, the ward's mother, and Charles Price petitioned for respite till next term to return the office after the death of Richard Jones, and to compound for the wardship of his heir, alleging they want evidence to prove tenure. *Underwitten,*

93. 1. "*Let the petitioners return the office and attend with a schedule, &c. the second sitting in Easter term next. Francis Cottington.*" [*On same paper as Jan.* 27. *See No.* 85. *Copy.* ¼ *p.*]

Jan. 28. 94. Table showing the number of soldiers in each of the companies of the 16 regiments mustered [at York] under date. The strength of the 16 regiments when mustered on Sept. 7, 1640, was 17,747; Oct. 23, 16,638; Nov. 28, 17,553; and Jan. 28, 1640[-41], 17,420, being 327 less than on the first muster, and 133 less than on the 28th Nov. [2 *pp.*]

Jan. 29. York. 95. Sir John Conyers to Edward Viscount Conway. I humbly thank you for the news in yours of the 26th inst., and the honour you have done me in delivering my letter to his Excellency [Algernon Earl of Northumberland]; in a postcript of his to me now he gives me the same answer he did to you, with assurance of his friendship henceforth as if this business had not happened. I so much honour him that I was very much troubled, and am very glad I have given him satisfaction in it in some kind. I shall not fail to remember your money, but till it comes from London for the army there is no hope of any. Sir Foulk Huncks showed me that warrant I sent you and entreated me to write to you of it, because he thought he that had the keeping of it did not make the true use of

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it as you intended. I have not heard that he said what you write, nor can I think it possible he should say or do anything with intent to prejudice your service; he that has the warrant ought to have kept it to himself till he had occasion to use it for your service, which he did not, for then Sir Foulk Huncks had never known of it; but it seems he used it for his own profit, as Sir Foulk informed me. His Excellency [the Lord General] writes that by a letter Mr. George Butler showed him, he perceived that not only Cottingham, but all the other villages desired your regiment might be removed, and therefore he gives me order to remove it into other quarters as soon as I can. It is true since my last to you many of that country came to me and delivered me this petition to that purpose. I have written to Sir Foulk to bethink himself and inquire where your regiment can be best quartered; and when they do remove I will ordain them the best quarters I can find. When Armstrong returns from Richmond [in Yorkshire] I will employ him in it, but as I wrote to his Excellency I cannot see that they can remove without money. We should be wonderfully glad to see you here, but I fear it might prejudice you to be so far from the Court and Parliament. I send you the news we have here [at York] of the new officers. [2 *pp.*]

Enclosed,

95. 1. *List of the changes in the officers at Court. Sir John Bancks is made Lord Chief Justice of the Common Pleas.* [*Sir Edward*] *Littleton, who was Lord Chief Justice, is Lord Keeper, Mr.* [*Edward*] *Herbert is made the King's Attorney. Mr. Gardner is made the King's Solicitor. Sir Robert Heath, who was out of favour, is made judge* [*in Sir William*] *Jones' place* [*in the King's Bench.*] *The good* [*Robert*] *Earl of Essex is to be Lord Deputy of Ireland. The Earl of Bedford* [*is to be*] *Lord Treasurer in the place of Bishop* [*Juxon*] *of London. The Lord Digby, Earl of Bristol, to be Lord Privy Seal. Lord Digby's son to be Secretary of State in Windebank's place. The Lord Say is to be Master of the Court of Wards.* [½ *p.*]

Jan. 29. Mark Lane. 96. Rich. Carmarden, Surveyor General of Customs, to Endymion Porter. I will now make you a fair offer for your reversion of my office. Certain lands, tenements, &c. lying westward were granted by Hen. 8 to A. B. and his heirs male in fee simple, who are now all extinct. The old rent is 55*l.* 13*s.* per annum, it cannot be worth less than 500*l.* per annum. I conceive it to be of a greater value; however, I dare be your tenant at 400*l* per annum. You may easily procure it from his Majesty in fee farm to you and your heirs male at the old rent. If it were double the value I mention, I would willingly present it to you, for it is no loss to me if you should get 20,000*l* by this change, and his Majesty gains also. Be pleased to answer by this bearer. Touching my son Clovell I humbly thank you for your respect to him and to honest Thomas Tindale. If Mr. Clovell had been as well bred as born he had never offended you nor me, but bear with him I beseech you, for he is downright honest. The overture he and Tindale have made you is of such consequence,

being well understood and duly managed, as may make our Sovereign never to be in want of money, but rather lend to his subjects. It is worth ten times the East India Trade, for by that the King has but 30,000*l* per annum, both inwards and outwards. I presume you need not be pressed to put it on foot, the benefit will be so great. [*Seal with crest.* 1*p.*]

Jan. 29. 97. Dr. Peter Heylyn, a prebendary of Westminster and chaplain in ordinary to the King, to the same. The opportunity I had so unexpectedly this morning, to give you notice of my business, has made me willing to believe that God begins to be in love with miracles again, and that He brought me to you for no other end than the redress of my affairs. Therefore that I may not be wanting to myself or the heavenly Providence, I send this paper-friend to solicit for me, who has not modesty enough to blush at the unreasonableness of the desire, and yet simplicity enough to commend it to you. How much it concerns the King in honour to justify the intimation of his own commands, I saw you so exceeding sensible of that I need not press it. And if I thought that by the attestation I now desire his Majesty might suffer anything in the retarding of his great affairs I were exceedingly unworthy of his royal favours if I should expect it. But my desires being such as can no way conduce to the disservice of his Majesty or the dishonour of his ministers, I must needs think my wrong the greater or my luck the worse in being so unfortunate a solicitor in so just a cause. Not daring, howsoever, to direct you in a way whereby, without appearing in it to your disadvantage, you may endear your zeal to his Majesty's service, in preserving the meanest creature belonging to him. [*Seal with arms and crest.* ½ *p.*]

Jan. 30. Tickhill Castle. 98. Sir Ralph Hansbie to [the Council]. According to your commands by your letter of November 30 last, I repaired to the coney warren therein mentioned and to satisfy you of the value and quantity thereof I appointed the deputy bailiff of the manor of Barnsley whereof the warren is parcel, to attend me; and receiving little satisfaction on view thereof that any considerable profit could be raised out of it, on questioning the bailiff I understood he and another had been farmers of it and well understood it; so I desired him to put his relation in writing, by which you may understand its value. [¾ *p.*] *Enclosed,*

98. I. *The certificate of Nicholas Medley, deputy bailiff for Barnsley liberty, of the quantity and yearly value of a coney warren on Barnsley common, co. York.* [1¼ *pp.*]

Jan. 30. Ripon. 99. Sir Jacob Astley to [Edward Viscount Conway]. I have received your letter of the 26th inst. concerning Mr. Daubenet. I shall obey your command and never mention to his Excellence [the Lord General] of his absence nor press for his return. Indeed I have not done it by any one officer, but long since I wrote to his Excellence generally of the absence of many officers. We are in a bad condition here for want of money, the army being unpaid eight weeks next

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Tuesday. The soldiers are reasonably quiet, but the inhabitants that trust them for victuals complain extremely. I am fain to give them the best good words I can. It is the same case with your horse [troops]. I hear it is reported the foot army is but 5,000 or 6,000 strong, and that many of our men are disbanded; I sent the Lord General a list of the muster taken the 28th of this month of 13 regiments which were found 14,602 men strong, besides 3 regiments whose books were not come in. These 13 regiments were fallen short of their last muster only 140 men. The Parliament has not been acquainted [with the way] to pay armies, especially the Lower House, few knowing of the course thereof; if they will have war, how shall we get the draught horses out of the stables, where they owe so much money, to draw our cannon? If I should be forced to assemble this army on occasion of war, where is money to pay them? Victuals or meat we have none, unless we fall on the flocks of sheep and do violence, and that will not last. If they will have peace, how will they satisfy this army, to put them to march and dissolve, and enable the soldiers to get back into their several counties? Seeing both ways money must come for them, is it not better providence to forecast their charge and provide the money in season, and to eschew disorders and the danger of the army breaking up? I leave all this to your consideration. P.S.—I am recovering from a shrewd sickness and hope next week to be fit for all occasions. [2 *pp.*]

Jan. 31. 100. Memorandum of orders of the King in Council and other business, transacted this day. The bond of 500*l.* entered into by William Trollop, gent, of co. Lincoln, in May last, to answer such information as should be brought against him by the Attorney General within one year, concerning riots and misdemeanours wherein he stood charged to have been an actor and abettor, shall by the Clerk of the Council be cancelled in Trollop's presence. A letter [to be written] to the Lord Treasurer to grant licence for exportation of butter; and an order to restore the money to the Lamprey men according to their petition. This day Sir John Bancks, Lord Chief Justice of the Common Pleas, was sworn a Privy Councillor by his Majesty's command sitting at the Board; and took his place and signed warrants. Ordered: that all copies of warrants concerning the commitment of Mr. Danvers, of co. Northampton, who stood committed to the Fleet, should be delivered to him if he desire it. [1 *p.*]

Jan. 31. 101. Order of Council. The fishermen or lamprey-takers having by their petition to the Board represented that they have, within three years, paid above 1,000*l.* for the new impost on lamperns, besides the custom, which they not being able longer to undergo, on their petition were referred by his Majesty for relief therein to the Lord Treasurer and Lord Cottington; and petitioners about November 3rd last having some thousands of lamperns to transport, being no way able to discharge the impost, did as they alleged borrow money to leave deposited in the Custom house, London, for the said impost and customs, which they humbly besought might be restored to

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them. Ordered: that the Lord Treasurer shall give order to the officers of the Customs in whose hands the money was left, to pay it back to the fishermen. [*Draft.* ⅔ *p.*]

Jan. 31. 102. The Council to Algernon, Earl of Northumberland, Lord Admiral. Whereas seven boats for carrying soldiers were lately built by Richard Michell, and should have been used in his Majesty's service in the late northern expedition, being now in custody of John Owen, waterman; these are to require you to take care that they be safely laid up for future occasion in some fit place. [*Draft.* ½ *p.*]

Jan. 31. 103. The same to Lord Treasurer [Juxon]. Whereas there are about 3,300 firkins of butter, part of a great quantity sent for the use of his Majesty's army to Hull, and by Mr. Commissary Pinckney returned thence as unserviceable, a good part being near two years old and much decayed; whereupon the Lord Admiral gave warrant to the officers of the navy to sell it to his Majesty's best advantage, who having treated with divers cheesemongers and others they are offered 13*s.* 6*d.* per firkin ready money, provided that those who buy it may have licence to transport it into foreign parts, or otherwise 12*s.* per firkin at six months' time for payment; we have thought good, as the butter is decayed, and that his Majesty may not be so great a loser, to require you forthwith to direct the officers of the Customs to suffer the exportation of the butter. [*Draft.* 1 *p.*]

Jan. 31. Warrant of the Commissioners for gunpowder to Montjoy, Earl of Newport. To issue 127 barrels of gunpowder at 5*l.* per barrel for the use of the East India Company.
[*Minute. See vol. cccl v., No.* 61, *p.* 15. ⅕ *p.*]

Jan. 31. The like. For 24 barrels to be delivered to Robert Russell of Tower Street, London, ship chandler, for furnishing of ships and for sale in his shop. [*Ibid.* 3 *lines.*]

Jan. 31. Whitehall. 104. Charge of Sir Wm. Russell and Sir Henry Vane, Treasurers of the Navy for ship-money received upon writs of 1639 for the several counties named. Total, 210,400*l.* Dated at Whitehall 31 Jan. and signed by the Council. *Underwritten,*

1. *Mem. for a warrant to the Auditor* [*of the Imprest*] *so dated and signed.* [*Copy.* 12 *pp. of which five blank.*]

January. 105. Council warrant to George Bingley, Auditor of the Imprest. Whereas by order from us, dated October last, we appointed you to take the account of Sir Wm. Russell, Treasurer of the Navy, for the moneys payable from the maritime parts and counties and by the several sheriffs and other officers, levied by writs of October 1634, as is particularly expressed in a charge for those moneys signed by this Board, and whereas the Treasurer of the Navy was appointed to receive from Lady Darell, executrix of the will of her late husband, Sir Sampson Darell, 3,282*l.* 3*s.* 2½*d.* Forasmuch as we are informed by the accountant that the said moneys are not fully paid him by the sheriffs and other officers, these are to require you to discharge

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the said accountant on the account of the sum of 973*l.* 9*s.* 7*d.*, the remainder of 17,971*l.* charged upon Surrey, Sussex, Essex, Middlesex, Suffolk, and Kent; also of 24*l.* 8*s.*, the remainder of 6,735*l.* charged upon Norfolk and Cambridge; and lastly, of 176*l.* 13*s.* 4*d.*, the remainder of 6,735*l.* charged on Gloucestershire and Somerset; and to set the same in supra upon the heads of the late sheriffs of the said counties, and of the late mayors or other principal officers of the corporate towns appointed by the writs to levy the same. And when this account is by you examined and made fit to be declared you are to present it to the Board. [*Endorsed by Nicholas:* "Draft of a letter to Auditor Bingley made by the Auditor and Sir Wm. Russell. To be presented when the Lords first sit; concerning the arrears not paid by the maritime parts for shipping." *Draft.* 1 *p.*]

[Jan.] 106. Order of the King in Council. This day his Majesty sitting in Council declared his royal pleasure that a commission should forthwith be prepared and directed to [*names wanting, but see Rymer's Fœdera, xx., p.* 509] any seven or more of them, authorising them to consider the present state of his Majesty's yearly revenues which arise by law, setting aside such part of the custom, as, being not his of ancient right, is usually granted him by bill of tonnage and poundage; and for this end to call to them such of his Majesty's officers and ministers as they think fit for their better information in the premises; and thereupon to frame a balance of his Majesty's revenues and all his expenses ordinary and extraordinary, and on further consideration thereof to make such retrenchment of his Majesty's expenses, as well household as otherwise, that he may be able to subsist, though in a mean fashion, and below his kingly dignity, upon his own revenue without burdening his subjects, in case the Parliament shall refuse to grant him the Bill of tonnage and poundage in such sort as it has been usually and time out of mind granted to his royal predecessors. Of which the said Commissioners are to make a representation to his Majesty that the same may be further proceeded in as shall be found most agreeable to his Majesty's foresaid gracious intention. And of this his Majesty's pleasure, his Attorney-General and the rest of his learned counsel are to take notice, and to prepare a draft of such commission aforesaid to be considered by his Majesty and afterwards engrossed and passed, as direction shall be given. [*Draft.* 2 *p.*]

[Jan. ?] 107. Declaration of the King concerning Proclamations. Albeit we know well that by the constitution of the frame and policy of this kingdom proclamations are not of equal force with laws, nevertheless, we think it a duty appertaining to us and inseparably annexed to our crown and regal authority to restrain mischiefs and inconveniences we see growing in the commonweal, against which no certain law is extant, and which may tend to the great grief and prejudice of our subjects, if there should be no remedy provided till a Parliament; which prerogative our ancestors have in ancient as in latter times used and enjoyed. But if, since the beginning of our reign, proclamations have been more frequent than

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in former times, or have extended farther than is warranted by law, we take in good part to be informed thereof by our loving subjects, and take it to heart as a matter of great consequence; and therefore we will confer with our Council, with our judges and learned counsel, and will cause such our proclamations, as are past to be reformed, where cause shall be found, and for future time will provide that none be made but such as shall stand with the laws or statutes of the kingdom; and such as in case of necessity our progenitors have by their prerogative royal used in times of the best and happiest government of this kingdom. [*Endorsed:* "His Majesty's power to issue proclamations, and touching such as are extended farther than is warranted by law." 1 *p.*]

[Jan.] 108. Petition of Jane Horman in the name of and as attorney for Michelle le Marquand her mother, both of Jersey, to the Council. Your Lordships were pleased December 20th last to refer the annexed petition to Dr. Thos. Rives, his Majesty's Advocate, to examine the proceedings had in petitioner's cause, and to certify the state of the business, with his opinion of the fitness of the thing prayed in the petition, and what was to be done for petitioner's relief. Dr. Rives having perused the said proceedings, has made a report to you, hereunto also annexed, concerning the state of the business, and what is fit to be done therein. Petitioner prays you to direct your letters to the Bailiff and Jurats of Jersey to proceed to a hearing of the cause in a full Court, according to the Act of September 26th as is expressed in that report. [1 *p.*] *Annexed,*

108. I. *Petition of the same to the same. Petitioner on Oct. 20th last, in the name aforesaid, sued John Horman, son of Michelle, for certain rents and other demands in Jersey, as more at large appears by the proceedings, and received sentence against her, for want of due information as petitioner conceives. Therefore she craves of you to direct letters to the Lieutenant Governor, bailiff, lieutenant bailiff, and some of the jurats there, authorising them to re-examine the differences betwixt the mother and son and to compound them if they can; else to report to you the true state thereof. Underwritten,*

108. II. "*Reference to Dr. Rives to examine the proceedings had in this cause, and to certify the state of the business, together with his opinion touching the* [*fitness of*] *the thing prayed, and what is* [*best to*] *be done for petitioner's relief. Whitehall, December* 20, 1640." [*Damaged.* 1 *p.*] *Dorso,*

108. III. *Report of Dr. Thomas Rives to the Council on the above petition. I have considered this petition and the Acts of Court mentioned in your reference; but having also heard the verbal narration of petitioner, I find the petition so short of the case itself that you could have no ground to do her right upon the petition were not the Acts of Court as short as it. It appears by the Act of Court of September*

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26 [*last*] *that the plaintiff sued for the recession of the grant of certain lands of hers made to her son John Horman by her husband in his lifetime, to which it seems she gave her consent, but compelled thereto, as is now supposed, by the threats and often beatings of her husband. On October* 10 *following, the bailiff assisted by two of the jurats only, as appears by the Acts, ordered the defendant to pay the plaintiff two quarters of wheat which were never demanded. The case thus standing, my opinion is that there are two apparent defects in the sentence, the one is that a matter of inheritance is here judged by the bailiff assisted only by two of the jurats, which I conceive to be contrary to the custom of that isle. The other is that the case in question, which was the recession of the grant made to her son through the compulsion of her husband, is no way decided for or against her, but only two quarters of wheat were ordered to be paid her which were never denied by defendant. Therefore I conceive that in point of justice you will do well to require the bailiff in a full Court to hear the cause, according to the Act of September 26th, requiring them to do her justice according to the law and custom of that isle that there may be no further cause of complaint to you. 2nd January* 1640[–41.] [1 *p.*]

Jan. 109. Council warrant to John Grey and John Heynes, messengers, to apprehend John Crowder a monk, Mr. Herbert *alias* Turberville, a monk, John Fisher *alias* Percy a Jesuit, Mr. Hollins a Jesuit, Mr. German a Jesuit, and Mr. Hamon a secular priest, wherever they find them; and bring them before the Council to answer such things as shall be objected against them. They are also to seize all heretical, schismatical, superstitious, and popish books, scandalous libels or dangerous letters, with all massing stuff and reliques of superstition and popery. [*Draft.* 1¼ *pp.*]

[Jan.] 110. Petition of the nobility, knights, gentry, ministers, freeholders, and inhabitants of the county of Bedford to Parliament. Divers petitions against the order of our Common Prayer, and the established form of our church-government have pretended to be presented to Parliament from several places of this kingdom. These petitions have been countenanced by a numerous subscription of persons for the most part incapable of apprehending the subtleties and dangerous insinuations concealed therein, and have occasioned the increase of schismatics, sectaries, and all manner of opposers of the form of worship, and church-government by law established. Out of the jealous regard to the purity of our religion, and the peace of our church, we hereby disclaim all such petitions. When we consider that our form of divine service expressed in the book of Common Prayer was with such care and sincerity refined from the dross of Romish intermixtures, and with so much piety reduced to its present purity according to the practice of the primitive times, that it has endured the test, and received the confirmation of Acts of Parliament; when we consider the function of episcopacy, the

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antiquity of their institution, the benefits which have been derived to our religion from their piety, fortitude, examples, labours, martyrdoms; that divers of them (ancient and modern) have been the champions, and assertors of our true religion against the common enemy of Rome; and that the general current of their doctrine hath not been dissonant from the sacred Scriptures, and the substance of our religion expressed in the Articles of this Church of England. In this case for the said petitioners to attempt an extinguishment of our liturgy, and the utter extirpation of episcopacy, we cannot apprehend it to savour either of religion or piety, but that their designs do conduce to the danger and disturbance both of the Church and State. The exorbitancies of ecclesiastical jurisdictions and the innovations lately obtruded upon our Church we apprehended as great and insupportable grievances, and we rejoice in the pious provisions for the suppression of popery, the removing of innovations, and the regulating of ecclesiastical proceedings. But for the said petitioners from personal abuses to conclude the eradication of the function, we conceive a dangerous inference in relation to any profession, neither can we assent to it as agreeable to justice or charity; but believe that under pretence of reforming innovations, they intend to introduce an innovation of pernicious consequence, and to subvert that government under which our Church has flourished so many years. What the inconveniences will be which must necessarily attend a parity and presbyterial discipline (the principal object of their designs), how incommodious (at the instance of a party both in number and quality inconsiderable) to abolish those orders and establishments which the far greater number and more considerable are desirous to continue, and what other prejudices are like to ensue upon such general animations to distemper as have lately been diffused amongst the vulgar by writings, pamphlets, invectives, seditious sermons, and the infectious example of tumultuous spirits interrupting the administration of divine service, have been formerly represented to the wisdom of this great assembly. All which we submit to your grave consideration, praying that the present form of our church-government and the book of Common Prayer may be continued; and the statutes concerning offenders against the same may be put in execution; and that such speedy care may be taken for settling the peace of the Church as may tend to the glory of God, and the felicity of this Church and commonwealth. [1½ *pp.*]

[Jan.] 111. Petition of Theophilus, Earl of Lincoln, to the House of Lords. Petitioner and his ancestors, Earls of Lincoln, were, and for years past have been seized of the manors of Aslaby, Poynton, Billingborough, Horbling, and Swaton in co. Lincoln, and in these manors are several fens which being supposed to be surrounded with water, his Majesty of late years has issued several Commissions of Sewers for draining them and other low grounds between the city of Lincoln and the river Glen, directed to divers Commissioners, many of whom were and are sharers in that level; and on their view they decreed great quantities of petitioner's manors to be hurtfully

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surrounded and taxed the grounds at 13*s.* 4*d.* the acre, to be paid by a day shortly after; but they did not proceed therein by inquisition and jury, as by law they ought to have done, yet petitioner by the day fixed or soon after, long before anything was done about the drainage works, tendered his tax-money and security for it on purpose to save his inheritance and freehold from alienation and sale by the Commissioners. All which, notwithstanding the Earl of Lindsey being declared undertaker for draining that Level, on supposition that he has drained so much thereof as lies between the river Glen and Kyme-eau has obtained laws of sewers to have out of petitioner's manors about 2,000 acres, worth about 700*l.* per annum; whereas petitioner offers to prove that that part of the level is in no sort sufficiently drained, but by reason of the banks cast up to safeguard the part of the fens allotted to the Earl of Lindsey, the rest of the fens within petitioner's said manors which is left to him and his tenants, is upon every flood sooner, longer, and deeper surrounded than heretofore within any man's memory. And in Swaton manor, by direction of the Earl of Lindsey and his participants, a cross bank is made over a great common sewer which endangers the drowning of the whole town on occasion of any great flood; and the said laws of the Commissioners of Sewers are in very many points erroneous and illegal. Which proceedings being so prejudicial to petitioner in his freehold inheritance, and of dangerous consequence; he prays your consideration of these laws of sewers, and that he may have right done him as appertaineth to justice and equity. [*Diffuse marginal notes, probably by the counsel of Robert, Earl of Lindsey, disproving the allegations in the petition.*] *Dorso,*

111. I. "*Sir, Mr. Cony and Mr. Coke conceive it very material:* 1. *That Mr. Lyens be sent for.* 2. *Some persons of credit and understanding being nowise interested may forthwith view the fens, and depose they are not worse surrounded than before the undertaking.* 3. *The certificate of Mr. Cawdr*[*on*]*, and what the clerk has material to that or other the draining.* 4. *The law of sewers for making Skirbeck Goat at first; to prove by that that the country* [*was not*] *taxed for new works, it was done* 30 *or* 40 *years since.*" [4 *pp.*] *Annexed,*

111. II. *Memoranda about the business of the West fen, co. Lincoln, in the same hand as the marginal notes on the above petition.* [8 *pp.*]

[January?] 112. Petition of John Ward, clerk, to the same. Petitioner being incumbent of, and a constant preacher at the church of Dennington in Suffolk for 12 years, was suspended by the Chancellor, a Commissioner of the now Bishop [Wren] of Ely, then Bishop of Norwich, because he would not read the second service at the Communion Table, set altarwise, where few of his parish could hear. Shortly after, one Ezekiel Wright caused him to be brought into the High Commission, where he was prosecuted with all violence, and Dr.

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Eden, one of the judges, was his examiner; and petitioner, to free himself of expense, being questioned for matters done before his Majesty's reign, and having his Majesty's coronation pardon, pleaded it; but the High Commission refused to allow it, and deprived petitioner and took from him his instruments of institution and induction, having caused him to spend above 200*l.* in the suit, and did by the sentence not only make him incapable of that living, but of all spiritual promotion. After which Wright on his own desperate oath procured a messenger out of the High Commission to attach and detain petitioner till he had 40*l.* or 50*l.* from him for staying in the parsonage after the said sentence, and yet forced him to move out of it in the midst of winter to his great loss; and has ever since taken the profits of the benefice worth above 200*l.* per annum, and yet has not resided on the cure nor been helpful to the relief of the poor. Prays the sentence so unjustly made may be repealed, and that he may have recompense for the wrongs he has sustained from Wright and the High Commissioners. [1 *p.*]

[Jan. ?] 113. Note of the several statutes urged in Thomas Earl of Strafford's impeachment of high treason. Underwritten are the following questions apparently on the statute 25 Hen. 8, c. 19:—1. Whether the endeavour to subvert the fundamental laws, &c., and to set up an arbitrary government, be treason? 2. Whether a single testimony, accompanied with other pregnant circumstances, be sufficient to evidence and prove treason? 3. Whether the 15th article [of the impeachment] may be adjudged a levying of war against the subject? 4. Whether the offences contrary to the statute 18 Hen. 6, triable in England, they being done in Ireland, shall be tried in England, the law being in force in both kingdoms. Peers to be tried before the Lord High Steward, 1 & 2 Philip and Mary, c. 10. § 54. The witness must be present in person if he that is to be tried require it. Ibid. §. Antepenultimate. The subjects bound to serve the King, &c., 11 Hen. 7, c. 1, and yet shall he not press them. [*The above notes and questions are apparently on behalf of Strafford, and from the endorsement would appear to have been copied from a paper in Archbishop Laud's hand.* 1 *p.*]

[Jan. ?] 114. Note by Edward James of the crimes of which the persons named in the schedule annexed to Capt. Henry Brunker's petition were convicted, and by whose warrants they were severally reprieved. The crimes are chiefly theft, burglary, highway robbery, and there is one case of murder out of the list of 14 names; they were reprieved mostly by his Majesty or the Council. [2 *pp.*]

[Jan.] 115. Paper touching the accounts of the office of the Ordnance, giving reason why it is evident the officers of the Ordnance cannot give due account of that office. Because Mr. Morrice, the prime accountant, keeps neither journal nor ledger, nor do the other officers; so that neither particularly nor conjointly can they deduce an account. They profess to subscribe implicitly to Mr. Morrice's account; they have given false accounts to the Parliament. They neither have nor can account for the special things and voyages commanded from his

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Majesty by privy seal or the Lord Treasurer's warrants. Mr. Morrice has been a year drawing up accounts and yet must have longer time to set forth the state of the magazine. He is not qualified in an account of charge and discharge or to bring it to a balance. A good accountant may detect his imperfections, and give some evidence what the office has cost, what of it is spent, lost, and embezzled, and what remains. A controlment of their ill beginning, and the establishment of a due form of account will prevent the officers' falsehood and his Majesty's loss, detect offenders, inform the strength of the magazine, declare the cost of each expedition, call for the returns, state them again and their reconversion; bring all to such a balance that the account shall justify itself and the officers, or check delinquents, ease the artificers, take away the trouble of the Lords, shew whether the value of the stores diminishes or increases. It will be a means to dispatch suddenly all occurrents, or shew how to promote army or navy, which lies at charge upon the dull officers, who being many are not so valuable as one, save to prevent fraud, whereof and of the rest a good account is a perfect remedy. The auditor of the imprest will not only have an account of the money issued, but of the stores for which it was issued, which are far more valuable than money, for the one may be had always, but the other not. The ancient officers and clerks are averse to all new propositions which meet their inveterate frauds and defects. They annul the commissions by moving the lords, &c. to the elaborate business of taking the remainder, and while that is in hand to involve the new provisions with the old; whereas if their books were first sequestered and viewed by an accountant as to what is in the magazine, the officers for their own clearing must shew that there is in store what there ought to be. His Majesty has a comptroller in his Household, his Navy, his Works, &c., and a comptroller in the office of the Ordnance, to put them into a true method while the old is in handling, would be of great avail; if such an officer draw charge on his Majesty, it will be saved many ways, besides the prosperity of the magazine. If innovations be not admitted in the office yet the corroborating of the Constitutions of 1620 will work good, if the officers' contradictions and disputes, which are impertinent, be suppressed, some few additionals be made about officers intruding on one another's duty, and the constitutions be made relative to the ordinary 6,000*l.* per ann., and the extraordinary, as now the State has occasion to use them. Every nature of goods to have his station in account as debtor, every man that delivers goods as creditor, and all that transact anything to be parties to the account, and in sum, everything received or the receiver to be debtor to the thing delivered or the deliverer; this will make a due account of charge and discharge that proves or disproves itself. [2 *pp.*]

Jan. 116. Note of a direction to Mr. Marsh, his Majesty's storekeeper in the Tower. That at the end of this month of January he certify what gunpowder remained in store in the Tower on the first of the month, and what the gunpowder maker shall have proved by the end of the month; also what gunpowder is returned from any

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1640–41. of his Majesty's services in that time, which sums being cast up, he is then to certify what powder has been delivered out for his Majesty's service in a total by itself, and in another total what has been sold and to whom in the same time, that so the total issued being deducted from the total of remainder and receipts, it may appear at the end of the month what his Majesty's store of powder is in the Tower, and such certificate he is to make monthly and send sealed to Mr. Nicholas. [$\frac{3}{4}$ *p.*]

[Jan.] 117. A list of the carriages for the officers of his Majesty's army. Total, 486 waggons, whereof 456 are to have 3 horses apiece, and the 30 appointed for the Lord General are to have 6 horses apiece. Total cost of the waggons, 3,371*l.* per month, or 43,946*l.* per annum. The pay to begin from Feb. 10, 1640–1. [2 *pp.*]

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Feb. 1. Lincoln City. 1. The Mayor and others of Lincoln to Sec. Vane. The other day one John Nash, an Irishman, was charged before us with rape, and perceiving by his examination that he led an idle life, we asked him when he was last at church to hear divine service, according to the laws of this kingdom. He replied that he was a Roman Catholic and did not go to church, but was about eight weeks since at divine service in the Queen's Chapel at Somerset House, London, where he received the sacrament, both bread and wine. And as we understood Nash had shown to some persons here divers popish pictures, we questioned him about it, and he confessed he had a crucifix, agnus Dei, and other pictures, which agnus Dei was whole when he received it in a letter from Garrat Nash his brother, now dead, out of Ireland, but is now broken, that and the other pictures and crucifix being given him by Mrs. Margaret Browne, his kinswoman, in her will when she died in Ireland; and he believes they were consecrated by the Pope or Bishop of Rome, yet he made no use of them but to wear round his neck for the sake of the gentlewoman that gave them him: then he freely gave us the pictures and things, four in all. Then we desired him to take the oaths of supremacy and allegiance, and first he refused the oath of supremacy, and then understanding what the oath of allegiance was, he refused that too. All which according to statute we signify to you, desiring your direction herein. [1 *p.*]

Feb. 1. 2. Mr. Grimstone's argument in the House of Commons concerning bishops and Mr. Selden's answer thereto. Mr. Grimstone:—That bishops are jure divino is a question; that archbishops are not jure divino is out of question. Now if bishops, which are questioned whether jure divino, or archbishops who out of question are not jure divino, should suspend ministers that are jure divino, I leave to you, Mr. Speaker. Mr. Selden:—That the Convocation is jure divino is a question; that Parliaments are not jure divino is

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out of question: that religion is jure divino there is no question. Now, Mr. Speaker, that the Convocation which is questionable whether jure divino, and Parliaments which out of question are not jure divino, should meddle with religion which questionless is jure divino, I leave to you, Mr. Speaker. Mr. Grimstone:—But archbishops are not bishops. Mr. Selden:—That is no otherwise true than that judges are no lawyers, and aldermen no citizens. [1 *p.*]

Feb. 1. 3. List of the Commissions delivered this day by Nicholas into the charge of John Wolley, keeper of the Council papers and records. A duplicate of a commission for making saltpetre and gunpowder, dated July 1, 1631. Duplicate of a Commission directed to the Lords Commissioners for the Admiralty concerning shipping business, dated Nov. 16, 1635. A Commission to Lord Cottington, &c. concerning the Fleet prison, Jan. 16, 1634–5. Duplicate of a Commission to the Commissioners of the Admiralty concerning shipping business, dated Dec. 24, 1636. A Commission to the Lords Commissioners of the Admiralty for the sale of gunpowder; dated Dec. 24, 1636. Commission to the same for sale of gunpowder out of his Majesty's stores; dated March 8, 1636–7. Commission for making saltpetre and gunpowder, dated June 7, 1637. *Underwritten,*

3. 1. "*Received the Commissions above mentioned by me, John Wolley, Feb.* 5, 1640[–1.]" [1 *p.*]

Feb. 1. Office of the Ordnance. 4. Certificate by the officers of the Ordnance of the gunpowder remaining in the Tower and at Portsmouth on January 1st. Also what has been since received into store, or sold out, and what quantity now remains in store. There remains this day in store in the Tower, 172 lasts 10 cwt. 59 lbs.; and at Portsmouth, 71 lasts 23 cwt. 98 lbs. [2 *pp.*]

Feb. 1. Boston. 5. Captain Charles Saltonstall to Robert Longe. Having ever found my feeble endeavours obtain acceptance from you and others interested in the fen affairs, I am bold briefly to inform you of some present passages and intended proceedings of this country, here on the north-east side of the Witham. It is well known what pains you and others of his Majesty's Commissioners lately took for repairing all Sir Anthony Thomas' imperfect drainage works; how those good proceedings were prevented is evident. Yet now this country thinks there was never anything intended, and therefore is of the general opinion that the country according to course of law and all equity must return to the old estate and be all thrown out to the commons; a miserable condition, that so noble a work as draining should be thus vilely abused by such an unworthy undertaker as Sir Anthony Thomas, for the country is not drained, nor can he do it, for he has neither money nor knowledge to perform it. Therefore in my opinion it were the best course to lay Sir Anthony Thomas and all his unjust proceedings open to the whole House of Parliament, otherwise he will be glad to shroud himself now under any shelter till the storm be over, and then he will do as much

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mischief as he can. I have collected a brief certificate to the Parliament, and I and Mr. John Coping have signed it, and I enclose a copy of it. Mr. Coping and myself were lately served with an order to attend the Lower House on February 1, and give evidence concerning Sir Anthony's drainage works; but the day is adjourned, and no certain time yet known. I have been lately employed by the Holland towns to survey all the commons in the West Fen, a copy of which survey is also enclosed, for Mr. Walpole to compare with his former surveys; the differences I think are not much. I would not have meddled with this survey, but that I know you only desire your due, and therefore I might boldly do what I did. I believe the commoners have their just quantity within about 400 acres, wasted in drains, which Sir Anthony Thomas has to account for. [1 *p.*]

Feb. 2. Covent Garden. 6. Sir William Uvedale to Matthew Bradley. I have received yours of Jan. 29, and on looking again into your last I acknowledge my mistake by taking 500 for 5,000; what persuaded me the more easily to this oversight was, that upon view of the advanced moneys both of horse and foot after November 10, I computed them at about 9,000*l.*, whereof I allowed 4,000*l.* and some odd hundreds for bills of exchange; but now, considering the reformados were paid three weeks out of this, it has shaken my hopes, and yet I do think there is money of the King's in Leech's, Henn's, and Miviett's hands, and therefore look into their accounts, especially whether they have not issued more since Nov. 10 than they have received on the Parliament account. Touching Colonel Goring's entertainment as Colonel of the first brigade, he must procure his own warrant for I cannot solicit it for him. You say you have enclosed the last warrant that was made for his pay, but I find no such paper in all your packet. The 100*l.* for Sir John Suckling was intended by them both to be taken out of his entertainment after Dec. 8. I am well pleased Sir Jacob Ashley has received his fasting fortnight, on condition that he will hold his peace. Send me Sir James Lockerty's [Lockhart's] charge, for I believe the Parliament will call for it. I can say nothing more about Sir William Ogle's acquittance, for I have not yet spoken with him. It is impossible to avoid the payment of some money here, the importunity of the officers is so violent, but I will avoid it as much as possible. I fear we shall not meet till I come to dissolve the army, upon which occasion I shall be very glad to take such a journey; and to deal plainly with you, I think we are not far from that day. Now touching moneys; the priest I think will be hanged to-morrow, and then I hope all obstacles will be removed and we shall speed you down some money; but what quantity I cannot yet tell. There have been divers here soliciting me to return them some moneys from York, as Sir William Pennyman, whose money lies with Mr. Flinshurst; and Sir Hugh Cholmeley, whose money is with Alderman Hodgson; all which I should be willing to do for them, but on certainty in the first place that the money may be there received, and next, that I might be provided to pay it here. [3 *pp.*]

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Feb. 3. 7. Resolutions of the Grand Committee of the House of Commons for Grievances concerning the postmastership for foreign parts. Mr. Witherings' cause touching the office of postmaster for the foreign parts, was this day heard, upon which it was resolved upon the question: 1. That this sequestration of the foreign postmastership from the possession of Mr. Witherings is a grievance and illegal, and ought to be repealed. 2. That the proclamation for putting Mr. Witherings out of possession of the foreign postmastership [issued Aug. 6, 1640] is a grievance and illegal, and ought not to be put in execution. 3. That Mr. Witherings ought to be restored to the possession of the foreign postmastership and to the mean profits received since he was out of possession, deducting the reasonable and usual charges of execution. Examined and compared with the original by Tho. Harper. [Printed in the Commons' Journal, ii., p. 500, where however it is put under date, March 28, 1642. *Copy*, 1 *p.*]

Feb. 3. Grant to William Killigrew, Henry Jermin, Henry Seymour, and Henry Killigrew of the keepership of the Great Park at Nonsuch during the lives of Anne, wife of George Kirke, and Charles Kirke their son in reversion after the patent formerly granted to Edward, Earl of Worcester, and Sir Thomas Somerset his son. [*Docquet.*]

Feb. 3. 8. The resolution of the Parliament concerning the Scots' sixth demand, to give 300,000*l.* towards supply of the losses of their brethren of Scotland. [Printed in the Lords' Journal, iv., 151, and Commons' Journal, ii., 78. $\frac{1}{3}$ *p.*]

Feb. 3. 9. Petition of Richard Canning to Francis Lord Cottington, Master of the Court of Wards. Last term you ordered petitioner to attend the third sitting upon compositions in this term, as competitor for the grant of the custody of Elizabeth Austen, a lunatic. Michael Spark the other competitor, who was by your direction to attend the same day, has compounded for the said lunatic the first sitting on compositions this term on purpose to defeat petitioner. Petitioner prays you to give order for staying the grant of the said lunatic, that petitioner may be heard, for he can make it appear that he is the nearest of kin, to whom the land and estate of the lunatic cannot descend, and is desired by her friends to preserve her estate, and also does not doubt to entitle her to a far greater estate than Spark has by his late office. *Underwritten,*

9. I. *Let this be moved to-morrow at the compositions, and such further direction shall be given herein as shall be requisite, and let Michael Spark have present notice to attend the motion. Fra. Cottington.* [*Copy*, 1 *p.*]

Feb. 3. 10. Certificate by Richard Culmer, late minister of Goodnestone, Kent. That he, John Player, minister of Kennington, and Mr. Heiron, minister of Herne Hill, both in Kent, were all suspended in the Archbishop of Canterbury's Consistory at Canterbury only for not publishing in their parish churches the Book for Sports on Sundays. Thereupon they jointly petitioned the Archbishop, Dr. William Laud, at Lambeth, declaring the cause and nature of their

1640–41. suspension, and desiring absolution from it; to which petition the Archbishop answered, "If you know not how to obey, I know not how to grant," and thereupon they continued suspended about three years and seven months, as appears by the acts of the Archbishop's Court. And although Culmer did divers times afterwards petition the Archbishop to the above effect, yet he was, during all that time, not only deprived of the execution of his ministry, but of all the profits of his living; he having himself, his wife, and seven children to provide for. [*Dorso:* "Mr. Culmer lives at Harbledown, near Canterbury, in Kent. Sir Edward Deering will send for him." ½ *p.*]

Feb. 3. 11. Abraham Molyne to John Willingham, his very loving companion and playfellow. How do you like your school or schoolmaster? We suppose that your being in the country affords you playfellows enough, so that you do not want us, but we do want you. [⅓ *p.*]

Feb. 4. York. 12. Sir John Conyers to Edward Viscount Conway. Mr. Winne of whom you write was in prison for quarrelling with his quartermaster, but is released long since. If he come to me for leave to go to London, he shall have it according to your order, if not I will write to his officers of it and send him a pass hence. I humbly thank you for the news; we are much troubled that one priest should so annoy the whole kingdom and hinder us from moneys; many wish him hanged long since. I enclose a letter from Sir Jacob Ashley in answer of yours to him, and a copy of mine to his Excellency [Algernon Earl of Northumberland], by which you will see all we know here, and what concerns the removing of your quarter which I believe must be done, for though Sir Foulk Huncks and your quartermaster say the country desires to keep the troops, I think they will not prove it. I send also the last I received from Sir Michael Ernle, by which and by mine to his Excellency you will see the state we are in, and the state of the garrison of Berwick, so that if the treaty break with the Scots they may have that place in a few days. I beseech you speak with his Excellency about that place and us here, and let me know his opinion, for all men write and say it is resolved that Berwick shall be dissolved. I send herewith a letter, an account, with a bill of exchange, and some papers to Mrs. Cooper; let one of yours deliver them and return me her hand for the receipt of the bill 'tis for, to receive of Sir Will. Uvedale above 200*l*, and I would willingly have her acquittance for it. [1⅔ *p.*]

Feb. 4. 13. Testimony of William Croft concerning John Fox and John Cooper, of Bothwell, witnesses in the cause against Sir John Lambe. On Thursday, Feb. 4, before the Lords Committees in the Painted Chamber, at the hearing of the cause against Sir John Lambe, Fox and Cooper affirmed on oath that they, being excommunicated in the diocese of Peterborough before the judge there, appealed to the Court of Arches, where Sir John Lambe was judge, and Mr. George Cole was their Proctor; and they desired an inhibition upon their

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appeal; but Sir John Lambe refused to grant it, and denied that justice, but in the end he wrote under their appeal or inhibition that if they would promise to bow at the name of Jesus he would admit their appeal and grant and seal their inhibition. And being asked if they could read the inhibition or appeal, they answered that Sir John Lambe's inscription was in English, and that they read and well understood it. [*Endorsed by Sir John Lambe,* "Mr. Croft's testimony against John Ponder and John Foxe." 1 *p.*]

Feb. 5. Answer of the Scottish Commissioners to the resolution of the Parliament concerning their 6th demand to give 300,000*l.* for friendly relief towards the supply of the losses of the Scots. [*Printed in the Lords' Journal, iv.,* 151. *On same paper as Feb.* 3; *see No.* 8. 1 *p.*]

Feb. 6. 14. Questions to be propounded to the High Commissioners for Causes Ecclesiastical; to be answered by them before the Committee appointed to examine their jurisdiction. 1. Whether the High Commissioners for Causes Ecclesiastical, named in the letters patent dated Dec. 17, 1633, ground their jurisdiction and proceedings on the said patents as they have relation to the statute of 1 Eliz. cap. 1, and warranted, or as they are the King's Commissioners merely without any relation to that statute. 2. And if they claim their jurisdiction both ways, the next question is, what they claim one way, and what by the other. And more particularly, 3. By what authority they send forth attachments for the first and original process against any person to be convented before them or any of them. 4. By what authority they send forth messengers, or others to arrest and attach any person to appear before them. 5. By what authority they inforce any, or authorise any to inforce others, to enter bond or recognizances for their appearance, or for performing any of their orders or decrees. 6. By what authority they authorise their messengers to search for or seize any man's books or goods, or to break open any house or houses, for any of those purposes. 7. By what authority they send forth general warrants, or warrants dormant for apprehension of persons supposed to be schismatic, separatists, &c., without naming any certainly, and to search and seize the books of such persons at the discretion of the messenger. 8. By what authority they hold plea concerning alimony, clandestine marriages, outrageous misbehaviours, and disorders in marriage or between married persons tending to the breach of holy wedlock, concerning books offensive to the State, printing, uttering, and publishing books concerning decrees and orders made in Star Chamber touching the disorders in printing or uttering books, or the execution thereof. 9. By what authority they impose amerciaments, fines, and imprisonments, and in what cases; and whether amerciaments, fines, and imprisonments be of ecclesiastical jurisdiction. By what authority the Commissioners administer or require the oath ex officio to answer articles original or additionals. By what authority they deny the copy of the articles to such as require them before they be put to an oath to answer thereunto. By what authority they hold cognizance of offences against statutes made since 1 Eliz. or any of them. By what authority they

they punish absence from the church or sacraments by other their ecclesiastical censures. By what authority they hold plea of clerks' wages, contracts made between churchwardens and workmen concerning work done in or about the church, &c. According to the appointment of the Committee for the jurisdiction of the Commissioners for Causes Ecclesiastical, these are to intimate to you that you may on Wednesday afternoon next [Feb. 10], in the Exchequer Chamber at Westminster, be heard speak by counsel before the said Committee touching the foresaid questions and the maintenance of your jurisdiction. Given under my hand this 6 February 1640[–1], Alexander Rigby. To Sir John Lambe, Sir Nathaniel Brent, Dr. Duck, Dr. Wood, and all others whom it may concern. [2 *pp.*]

Feb. 8. Attachment of Sir Wm. Strickland, John Carey, and John Sotherton. [*Docquet.*]

Feb. 9. 15. Order of the House of Lords. That no man that holds any place of judicature in inferior courts shall be judge in such courts wherein there lies an appeal before himself in a superior court. [*Endorsed by Sir John Lambe,* "Order touching the Judges of Appeal." *Printed in Lords' Journal, iv.,* 156. ½ *p.*]

Feb. 9. Covent Garden. 16. Sir William Uvedale to Matthew Bradley. I am glad you have so much money in your hands upon the King's account; your letter speaks of over 4,000*l.*, only above 600*l.* must be taken out to balance the Parliament account. Reserve this with as much secresy as you can, till we meet, for there will be much use for it. I have been all this day drudging to get moneys for the army, and I doubt not some time this week to send you down one full month's pay for horse and foot; and now the Parliament begins to take it more into their care, so I hope to send you more shortly after. I know by the time this is paid out, the army will be still two months behind, but I doubt not in some little time we shall get it all paid. I will pay this bill of exchange to Widow Cooper; and truly I am importuned very much by very good friends of mine to return them money from thence; as Lord Dungarvon, 200*l.*, which this note directs you to; Sir Hugh Cholmley whose moneys lie with Alderman Hodgson, Sir Will. Penniman whose moneys lie with Mr. Elsworth, and some from Lord Bellasis; these moneys I conceive will lie opportunely for those that lie at York, and therefore what you take of them will be fit to be charged either upon Miviett or Henn. I am also over entreated to make some payments here, as to Lord Conway, Colonel Ashburnham, and Colonel Ogle. This is the worse business of the two, because of the account, but it shall be all booked; I know not well how to refuse men of their quality. I have lent 100*l.* out of my purse here, as 50*l.* to Sir John Suckling, 20*l.* to Sir Richard Grinfield [Greenvil], 20*l.* to Capt. Horatio Cary, and 10*l.* to Capt. Porter, and of all this I hear you have received only the 10*l.* of Capt. Porter; take care to gather in these moneys on the first payment. [2¾ *pp.*] *Enclosed,*

16. 1. *Note of the amount of one month's pay demanded by Miviett and Henn, and of moneys already paid here in London.* [1½ *pp.*]

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Feb. 9. 17. Note of business to be transacted this afternoon in the Queen's Court at Denmark House, relative to her estates in co's. York, Cumberland, Surrey, Beds, Berks, and Northampton. [1 *p.*]

Feb. 9. 18. Further notes by Sir John Lambe of business this day transacted at Denmark House, concerning Edward Clerke of Higham Ferrers and 5 auditors.

Feb. 9. Cottingham. 19. Captain Edward Burgh to Edward Viscount Conway. All your horses are in very good case; to-morrow the yellow horse goes over to Sir William Pelham's. They are very earnest to have us remove from this place; I am sure we shall go into a worse unless we should go into Nottinghamshire, but we hear my Lord of Northumberland will not let us go out of Yorkshire. Old Mr. Percy hath nobody billeted with him, and he is our greatest enemy. I have made a motion to the horsemen to buy their horses for six weeks' pay; they are most of them very willing, but if they have not conduct money given them I doubt they cannot spare so much money and pay their debts. Captain Mennes is married to Mrs. Anderson, and they keep house together at York. Be pleased to send to Sir John Conyers to lay hands on your money as soon as it comes down, for fear I shall not come time enough: but I will be as watchful as I can. [*Seal with arms:* 1 *p.*]

Feb. 9. [Nicholas to Lady Mary Carr]. Being yesterday to wait on my lady your mother I understood that your husband [Sir Robert Carr] had given you a visit in your house at Richmond, which makes me send this of purpose to know how you do, for I had heard you were wont to be very sickly when you were with child, and I doubt not but Sir Robert had done the feat so much desired, and shall pray that the boy you shall bear may be as like the mother as your first is like his father; my wife saith we keep reckoning for you as from Friday last. But now to be serious, I find by your noble and judicious friend's letter the great debt I owe to your Ladyship's care to oblige me in our business, as much above my desert as ambition, and I perceive by his Lordship's that you conveyed your desires therein to trust your no less prudence for preserving my reputation than affection to my good; truly, madam, these times and experience tell me that there is no happiness to be sought for in the mutable orb of the court, and in my own disposition I affect much rather to solace and enjoy myself in a field of liberty than to be enthralled in place at Court, notwithstanding methinks I hear you still say that I affect to be a drone; however, I pray do me the honor to assure that honourable lord that he hath by his noble and wise expressions and advice made me his creature, and though I still forbear to push on to the preferment his Lordship and your Ladyship's goodness think me capable of, yet your favour, I have so really found beyond my merrit, shall be a perpetual obligation on me to be his Lordship's. [*Draft in shorthand. Written on the same paper as* 3 *July* 1641. *See vol.* 482. ⅔ *p.*]

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1640-41. Feb. 10. 20. Francis Lord Cottington, Master of the Court of Wards, to [Sir Thos. Fanshaw] the Remembrancer of the Exchequer, or his deputy. Whereas there is a cause depending in the Exchequer Chamber by English bill between Robert Long and John Gibbons, plaintiffs, Robert Benson and others, defendants, at issue and ready for hearing; let the said cause be set down to be heard first in that Court on the first Thursday in Easter term next. [$\frac{1}{3}$ *p.*]

Feb. 11. 21. Order of the House of Lords. Whereas Dr. Robt. Aylett, Commissary Judge for the diocese [Archdeaconry] of Essex, and Robt. Buxton late Mayor of Colchester, were by order of the Upper House, dated Feb. 9 last, ordered to pay Mary Wheeler by way of damages a certain sum of money therein expressed for some wrong done her, touching which it was conceived Sir John Lambe and Dr. Duck were in some fault, yet it was alleged they had not been heard in this business; it was ordered by the Lords that they should not be included in the said order before they were heard by the Lords Committees appointed to consider the abuses of imprisonments and courts of justice, who after the hearing are to report to the House, that thereupon this most honourable and high Court may proceed therein according to justice. [*Endorsed by Sir John Lambe:* "Copy of the order in the Parliament for Sir John Lambe and Dr. Duck." *See Lords' Journal, iv.*, 158. 1 *p.*]

Feb. 11. 22. Receipt by William Caldwall for 10*l.* received from Edward Nicholas, being one quarter's rent for his house and stabling in King Street and Axe Yard, Westminster, due last Christmas. [$\frac{1}{2}$ *p.*]

Feb. $\frac{12}{22}$. Paris. 23. Robert Reade to Endymion Porter. Since my coming into these parts I had advice that one of the ships was returned from India, wherein there was an adventure in my name. I desire you, whatever the benefit shall be, to preserve it till I shall have the happiness to wait on you myself, or till with your good advice it may be otherwise disposed of. I hear Sir William Beecher has made quick work with his place [of Clerk of the Council]; I must say he has not used me like a gentleman, not having given me the least intimation of his intentions, which a very good man would have held himself obliged to do considering how far I had proceeded with him. But it seems I am now of no more consideration with him, as indeed I shall be with no other, except God and the King favour me extraordinarily P.S.—I am not certain whether this adventure were in my name or not; my cousin [Thos.] Windebank will speak with you about it. Mr. Secretary [Windebank] presents his true service to you. [*Seal with arms and crest.* 1 *p.*]

Feb. 12. 24. Letters testimonial of Herbert Croft, S.T.P., rector of Harding, Oxon, and five other clergymen: that John Rayment, of St. Peter's College, Cambridge, has been diligent in study, pious and sober in life, and, as far as they know, has never held or believed anything but what is orthodox and agreeable to the faith and discipline of the Church of England. [*Latin.* 1 *p.*]

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1640–41. Feb. 13. 25. Deposition of Godfrey Maydwell, one of the filacers of the Court of Common Pleas, in the cause against Archbishop Laud. That Viscountess Dorchester and others about Trinity term 12 Car. brought a Quare impedit against Dr. Andrew Clare for the church of Hinxworth, Herts, and after three years' suit there and a special verdict tried at the Common Pleas, judgment was given for the plaintiff about Michaelas term 1639, whereupon a writ was awarded the same term directed to the Archbishop of Canterbury during the suspension of Bishop [Williams] of Lincoln; and the writ under seal was delivered to the Archbishop by Daniel Falkner, clerk, then presented by the plaintiff to the said church. But the Archbishop refused to obey the writ, and would not admit Falkner, as the latter affirmed to deponent; deponent, being employed by Falkner as clerk and attorney in the suit, advised him to prosecute a new writ directed to the Archbishop, and went with him to the Archbishop at Lambeth and humbly prayed him to obey the King's said writ, and acquainted him with all the proceedings in this cause and also with the danger of disobeying the King's writs; whereupon Laud was offended with deponent and said he would take no counsel at his hands, but must take care of the King's title and take his own time for it. But within a fortnight the Archbishop admitted Falkner to the said church. [1 *p.*] *Subjoined,*

25. I. *Further deposition of the same. That John Smith last Trinity term brought a "Quare impedit" against Archbishop Laud for the church of Howby* [*Hoby*], *co. Leicester, and entered the writ on record in the Court of Common Pleas; and thereupon a "Ne admittas" was granted by the justices of that Court and delivered to the Archbishop, who then refused to obey it, as Mr. Smith affirmed to deponent. And afterwards the Archbishop admitted John Rhodes, clerk, to the said church, contrary to the tenor of the "Ne admittas."* [1 *p.*]

Feb. 13. York. 26. Sir John Conyers to Edward Viscount Conway. I am sorry to hear Berwick will be cast, for then I know not what will become of me; it is strange that such a harbour as Holy Island and such a fortification as Berwick should be wholly abandoned, they lying so convenient for the Scots or any enemy. In some parts it would not be done. Captain Mince [Mennes] being gone to London, it is requisite somebody were sent down to command that regiment. I perceive by the relation of the Parliament that you and Sir Jacob Ashley will be questioned for the rogues who were put to death for mutiny at Newcastle and Selby; yet it was done by the Council of War, and not you in particular; methinks they ought to question the Council of War for it, and not you; besides, what you did you had the Great Seal for. Meantime, we are in good case that undertake business upon these terms. I would I had stayed at Breda. I am again in as much pain as ever for the King's letter sent to my nephew Hume. I have received a letter dated ten days after that was sent by the post by Sir Alexander Hume, as he wrote to me, and

then my nephew had no news of it, so that again I fear 'tis lost or some other misfortune befallen it. Sir Alexander sent it in a cover of Mr. Treasurer [Vane's]. The Queen of Bohemia makes suit for Lord Leviston [Livingstone], and Sir Robert Honeywood is now in England. My nephew has been ever since at the Hague waiting for those letters, and by every messenger he expects the news of his captain's death, for there has long been no hope of his recovery. I beseech you assist us yet a little in it, so that the King may cause the Dutch ambassadors to write in his name to the Prince of Orange in my nephew's behalf, and if possible that another letter might be got from his Majesty to the Prince of Orange to the same effect as the last, of which I enclose a copy. I now write to Sir Alexander Hume about it, as also to get the King's letter to the Queen of Bohemia to take her off from that suit [of Lord Livingstone's] if possible. P.S.—My Lord, not to importune the King too much, if his letter to the Queen of Bohemia be not gotten already, I would it were possible to get another letter to the Prince of Orange only, and leave that to the Queen of Bohemia alone. [2¾ *pp.*]

Feb. 13. Cottingham. 27. Captain Edward Burgh to the same. I just now received a letter from you bidding me buy horses for my Lord of Down and Sir Ralph Clare. There will not a horse be had that is worth buying but what is in your troop; there is not one officer left that has a good horse, and I am sure I shall not fit Sir Ralph Clare with such horses as he would have. I could find one good set of bay geldings in the troop, but I shall discontent all those that ride them by taking them from them; but what you command me I will endeavour to do. I think your first proposition is best, to let them all have their horses at such a rate; you will be sure to know the worst, which is to have so much money. [*Seal with arms.* ½ *p.*]

Feb. 15. 28. Declaration of Jasper Mayne, William Cartwright, and Henry Killigrew concerning their proceedings against the Dean and Chapter of Christ Church. Whereas we have constituted Mr. John Mylles our delegate under this Form,—That we gave him power to proceed against the Dean and Chapter of Ch[rist] Church by all lawful means, for procurement of our rights from them,—We here protest that we gave him this power in those general terms upon this interpretation both privately and publicly made to us, that by lawful means was meant our petitioning his Majesty, our founder and Visitor; and that the reason why the form was conceived in such general terms was that our way of proceeding might not be discovered to the Dean and Chapter. And therefore if any other means be used we utterly disclaim it. [1 *p.*]

Feb. 16. 29. The King's speech to both Houses of Parliament on the passing of the Bill for Triennial Parliaments. My Lords and you, the Knights Citizens and Burgesses of the House of Commons; you may remember [when both Houses were with] me at the Banqueting House at Whitehall, I declared to you two rocks I wished [you to eschew]. This is one of them, and of that consequence that I think never Bill passed here in this House [of more favour to the] subject than this

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is; and if the other rock be as happily passed over as this shall be [at this time], I do not know what you can ask, that I can see at this time, I can almost make any question [to yield]. I mention this to shew you the [sense I have] of this bill and obligation, as I may say, you have to me for it, for hitherto, to speak freely, [I have had] no great encouragement to do it; if I should look at the outward face of your actions and not the inward intentions of your hearts, [I might make] question of doing it. Hitherto you [have done what] concerns yourselves, to amend and secure [the things that] are profitable to yourselves, neither [were they things] that merely concern the strength of [this kingdom or] the State in any one particular. This I mention not to reproach you, but to shew you the state of things as they are; you have taken the Government almost to pieces and, I may say, it is almost off the hinges. A skilful watchmaker to clean his watch [takes it asunder] and when it is put together it will go [the better; but] just remember if you leave out one pin the watch may be the worse and not the better. As I have done all this on my part you know what to do on yours, and I hope you shall see clearly that I have performed really what I expressed to you at the beginning of this Parliament, of the great trust I have of your affections to me. And this is the greatest expression of trust that before you do anything for me I do put such confidence in you. [*See Lords' Journal, iv.*, 163; *Commons' Journal, ii.*, 87. *Printed in Speeches in Parliament, p.* 7. *Copy very much damaged by mice.* 1⅓ *pp.*]

Feb. 16. 30. Note of business to be transacted in the Queen's Court at Denmark House this afternoon, concerning her Majesty's land in co's. York, Bedford, and Lincoln. [½ *p.*]

Feb. 16. Covent Garden. 31. Sir William Uvedale to Matthew Bradley. I consider your wants in the army and the cry that will of necessity arise, and therefore you do well to impress moneys to some officers so long as you keep within 600*l.* For Captain Burgess I can only say that I have spoken with Lieutenant-Colonel Percy, his dear friend, who tells me he acknowledges the receipt of Captain Bridgman's pay, and intends to pay it to a brother he has here of the Parliament House. For Mr. Scovenn, you shall not need to put him in mind by any other letter, for I will solicit him very close and give you an account of it. Touching taking any moneys there by bills of exchange, there is no courtesy to me in it; but I confess I know not well how to deny persons of their quality such a courtesy; especially as their moneys lie in York, where they know I make many of my payments. I sent you a note of such as I have promised that you may charge it on Miviett or Henn, and put them to receive the moneys, but let me have your bill of exchange for it. The payments that are to be made here are but few, some four or five, but it is still the same rule that forces me to it, that is, a courtesy I cannot tell how to deny. They shall be as carefully entered and booked here as I can advise, and so I pray for a good end of this business as heartily as you. This day the King has given his royal assent to two bills in Parliament; the one is for four subsidies for the army and northern

1640-41. counties, the other is to enjoin himself to call a Parliament every third year. The latter has so taken the House of Commons that we have given order that there shall be bonfires in token of joy for the concord between the King and his people this night: and now I doubt not but that I shall to-morrow begin my receipt for one month's pay for the army, both horse and foot, and therefore inform yourself what proportion for one month will serve Messrs. Miviett and Henn, that some order may be taken to leave so much more money there, besides what they may receive by bills of exchange hence, as may serve their turn. I intend to write to them both about it, and when I have received their answer you shall hear what they demand. To-morrow my Lord Lieutenant [Strafford] comes to his trial, whereof there is great expectation. I think now we shall proceed clearly and speedily for moneys, and therefore give as much encouragement to the army as you can, that they may hold together. [3 *pp.*] *Enclosed,*

31. I. *A note of the moneys offered to Sir Wm. Uvedale to be returned to York upon bills of exchange.* [1 *p.*]

Feb. 16. 32. John Clayton to John Pym. Considering these tottering times, both of law and otherwise, I thought it my duty, when I thought of some things, to put them down, if perhaps I might bring any props or stays thereunto. And no man I thought better able to judge than yourself, which makes me thus bold to present you with my observations, when your leisure, if any be, will permit you to peruse them, if any are worthy; as for those of the law I know they are, you may put them to some committee of lawyers to consider, and I shall wait upon them if required. I gave you a paper touching the Lord of Canterbury, but for lack of the petition, which I had, you could not make use of it; it is contained in the enclosed paper. [1 *p.*]

Feb. 18. 33. Note of business to be transacted at the Queen's Council at Denmark House on Saturday next; relative to her lands in co's. York, Bedford, Lincoln, Northampton, and Suffolk. [4 *pp.*]

Feb. 18. Whitehall. Henry Earl of Holland, Chief Justice and Justice-in-Eyre of the Royal Forests on this side Trent, to the officers and ministers of his Majesty's Forest of Windsor, in co. Berks. I have thought fit to license and authorise Thomas Dodsley to continue the making of bricks in a brick-kiln lately removed by him from the place where formerly it was, and to maintain the same without let or hindrance. [*Copy, see vol. cccLxxxiv, p.* 109. 1½ *p.*]

Feb. 18. Whitehall. The same to the same. I have thought fit upon grounds stated to license Francis Mincklen and his assigns to erect a dwelling-house upon his lands called Calvesleaze, containing 20 acres, in the parish of Hurley, within the forest, and to remove his barn from the place where it now stands nearer to the intended dwelling-house, which it is conceived may be done without damage to the forest or prejudice to the game of deer there. [*Copy, see ibid., p.* 111. 1½ *p.*]

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March [1.] Feb. [19.] Paris. 34. Sec. Windebank to [Queen Henrietta Maria]. In what condition I live here I have lately willed my son to represent to the King and your Majesty; not that I expect sudden relief in this constitution of his Majesty's affairs, but that I hold myself obliged to give you both account of my fortune, however it please God to dispose of me. Though I can discover little hope for myself, yet methinks I should not despair, but by the King's and your goodness my poor son [Thomas Windebank] might be taken into consideration, and not be buried in the ruins of his unfortunate father. I therefore beg your pardon for this importunity in his favour, beseeching you to cast a gracious eye upon him and to take him into some employment near your person, if any such place become void, as it is constantly reported here there will be great alterations among your English servants. This I shall hold as great an honour and advantage to me, and shall rest as fully satisfied with it as with anything that can be conferred on myself, who am preparing for a better world, and shall leave this with full contentment, if by your princely favour I may see my son in a condition not likely to be ruined. [*Endorsed:* "Windebank's letter to the Queen on the behalf of his son." 1 *p.*]

Feb. 19. 35. Abstract of the results of an inquisition, made by warrant of the [House of] Lords dated Dec. 14, 1640, into the state of the fens leased by Sir Edward Savage and Mr. Edmund Wyndham from the King. It appears that in 1637–8 the King granted a lease to Sir Edward Savage and Mr. Wyndham of 12,000 acres of fen lands in the Great Level of the Earl of Bedford's undertaking, including amongst others Burrough Great and Little fens, Crowland, Glasmore, Yaxley fen, Isle of Ely, Alderlands, Stanground, Sawtrey fen, Fassett fen, Southpingle and Northey fens; at a yearly rent of 4,300*l.* This rent had been unpaid from Lady Day 1637–8, when the lease was granted, to Michaelmas last, 1640, an interval of 2½ years; but the inquisition proved that the lessees had been unable to pay their rent, because, so far from making any profit out of the fens, they had sustained a dead loss of 1,092*l.* in the said time, having disbursed so much more in the management of the fens than they had received as rents from their tenants, &c. [*In one long sheet. Very much damaged by damp; the commencement being entirely worn away.*]

Feb. 19. 36. Petition of Mrs. Thomasina Ogle to Francis Lord Cottington, Master of the Court of Wards. About ten days since John Ogle died seized of certain lands in co. York, held of his Majesty in capite or otherwise by knight's service, leaving his son and heir, John Ogle, within age, who ought to be his Majesty's ward. Prays for, the wardship of her son, and lease of the lands during his minority, and a writ for finding the office. *Underwritten,*

36 1. *Let petitioner have a writ or commission in nature of a "Diem clausit extremum" to find the office, and let the office with a schedule of the estate be returned the fourth sitting on compositions in Easter term next. Fra. Cottington.* [*Copy.* 1 *p.*]

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Feb. 19. York. 37. Sir John Conyers to Edward Viscount Conway. I have written to his Excellency of the removing of the horse from Richmond and also some of Lord Carnarvon's regiment to another quarter. His Excellency gives me order to quarter yours in Holderness, which I will do as soon as convenient; but I would not do it before money comes, or Sir Foulk Huncks. Sir Robert Tracey writes to me in behalf of Moreton, O'Neale's cornet; and I think the captain does him injury. All he objects against him is that he drinks sometimes; if all were banished the army that do so, there would be but few left. There is or will be a cornet's or lieutenant's place void in the troop that was Sir John Digby's; if you think fit let Moreton be removed thither, and let O'Neale have a new cornet, for he likes not this man, and no troop stands more in need of officers than his. All men say the garrison of Berwick will be dissolved; it is a matter of great consequence, and ought to be well considered. If no garrison be left there it must be razed, else it may at any time be easily possessed by a foreign enemy. The fortifications are good, and have been the work of more than one or two ages to perfect, and seldom is any such strength quit in that manner but it is regretted not long after, witness the Brill and Flushing so that, if the authors of that work had lived but a while longer, I have heard their heads would have paid for the ill counsel they gave the King in that point, and I believe none of ours that knows this kingdom well and the constitution of that State but is sorry for it at this hour. And when this garrison was last dissolved I have heard that in Parliament not long after a proposition was made to re-establish it; at least the dissolution was not approved, and if it be dissolved again now I assure myself within few years it will be repented. 'Tis said it must be dissolved to make a durable peace with the Scots, and I believe to cause the peace to last longer, were to continue the garrison. What man lives so securely, though his nearest neighours be his brethren, but he will take care his gates be shut whilst he takes his rest? I am sure in Scotland, although they see in all kinds the good affection of our nation towards them, yet they fail not to make themselves strong, and at this hour do make all preparations for war, that if their friends fail they may stand on their own feet. Divers will persuade me that the King has resolved Newcastle shall be a government, and that a garrison and magazine shall be kept in Hull; but if Berwick be dissolved I believe not that his Majesty will be at any charge in either of those places. P.S.—General Leslie and Sandy [Colonel Alexander] Hamilton, their Lord General of the Ordnance, have lately visited the ports of Tynemouth, Sunderland, and Hartlepool, and a commissary and certain troopers of theirs have been at Stockton to demand 140*l.* for seizment, and after twice coming thither were refused; they said they would come again, which much perplexes Sergeant-Major Ogle and Capt. Hippisley, who command there. [2¾ *pp.*]

Feb. 19. Rotherham. 38. R[ichard] Nevill to the same. I have always owed my life to your Lordship, but now I count it your gift, it being impossible for

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me to have subsisted longer in this valley of tears had not you revived me with a glimpse of paradise, which shews far more glorious in your favour than my mistress's looks, which were never so sweet to me as at the last gasp, to unwind the rack, lest by dying outright I might cosen her of worse torments. Having so little content in this suit I applied myself to another mistress, a maid of honour too—this employment, which by your favour I enjoy, courting it with as much diligence as I did the former, and receiving far greater satisfaction. But I fear she is too well conditioned to last long, several symptoms of her end appearing; at which unlucky time, my affections having nothing to maintain them here, must return whipt from place to place to their former abode; where if your favour can procure them entertainment you will save my soul as well as body. [1 *p.*]

Feb. 19. March 1. Paris. 39. Robert Reade to his cousin, Thos. Windebank. What advice Mr. Secretary [Windebank] has lately received, and what his apprehensions are thereupon, it coming from such a hand, you will sufficiently understand from himself. The conclusion upon it is that this is no place to remain in with safety, and to remove further off out of the way of correspondence, where at least we shall receive the comfort of your letters but distractedly, will be a huge addition to our misfortunes, and may be the destruction of our unhappy business, if it should not first be brought to some issue. This being now our condition it is to be considered whether either our businesses are not to be set on foot and brought to some issue, or my uncle otherwise disposed of, that he may be out of this danger. You had reason to say it were best to rest quiet till the Parliament should move, but taking things as they are now, I beseech you advise seriously whether it be not fit to desire their Majesties to join in a hearty mediation with the Parliament for an accommodation upon as good conditions as may be had; for my uncle would hold himself happy if he might return with safety to his little fortune, which the King may, and I doubt not will, augment hereafter as opportunity shall be presented, if his peace cannot be made on better terms. If their Majesties shall think fit to treat with the Parliament at all, this is as good a time as can be, they having received satisfaction in all the businesses of the R[oman] Cath[olics], which are now so settled that they cannot have the like cause of complaint hereafter, and they likewise having found by his Majesty later reprieving the priest that such things must be done sometimes, which methinks should somewhat excuse Mr. Secretary; and as well in these considerations as others I am of opinion that their Majesties appearing first in the business, before the Parliament moved, would be very well taken, and conduce much to an accommodation. Besides this danger to his person, which is the principal reason, in my judgment, why this business should be set on foot, there are others of great moment, as the coming away of the Queen, which will be as great a blow to it as can be, if it be not brought to some issue before that time. Then the failing of the Post Office and the hazard of his money, which will disable him to undergo the charge of living

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abroad. Another which I much apprehend is that the Parliament will not of themselves fall upon the business till another session, which will keep us abroad a long time, and in the misery of expectation. If it be objected that if the King should do this for Mr. Secretary others that are questioned will expect the same favour, it is to be answered that the questioning of his secretary, the immediate minister of his commands, concerns the King in his honour more nearly than the questioning of any other can, and he having done nothing but by his Majesty's order, or in necessary consequence thereof, the King is obliged in his own honour and in right to Mr. Secretary to save him harmless; and the Queen likewise to avow that all those things were originally moved by her, and I am sure her Majesty cannot avow anything wherewith the others are charged, or take any of their burthens upon herself, as in justice she ought to do this. If their Majesties would appear gallantly and heartily in the business, as I hope they will, considering he suffers for their service merely, I should not doubt of some accommodation, though it were upon hard conditions, which yet would be better than a banished life, especially in this place of danger; but if the issue should not be good, yet we shall then be able to fall upon some resolution, which now we are not, and there are but two things more to be desired, one of which I am confident cannot be refused [*a sentence in cipher*]; and if the first be not held fit, the latter cannot but be granted, and that would enable my uncle to settle in some place and draw over his family to him, which would be an unspeakable ease to his troubles. I beseech you take this seriously to heart, and advise with some confidant friends what is to be done, and send us as much comfort and as speedily as you can, for I tremble daily for fear lest these afflictions coming so fast on one another, and making such deep impressions on him, will cast him into some indisposition, and how dangerous that would be in a strange place you will easily judge; and what increases my fear is that he cannot take his recreation abroad in the gardens, as hitherto he has done, so that now he is no better than imprisoned. When I had gone thus far I received notice from a great person in this town [*marginal note in cipher*], well known in that Court, that [*more in cipher*] being lately in discourse with him, he let fall these words "It is a great shame to see that Secretary at the house of M. l'Ambassadeur [Robert Earl of Leicester] doing as he did in England; I am astonished there is no man of spirit who has the courage to assassinate him." These things make me at my wits' end; I pray God give me patience. I dare not acquaint Mr. Secretary with it; he knows enough already to put him into disorders. You will please keep all this very secret; but it were very fit you acquainted their Majesties with this particular, besides what you will receive from my uncle, that they may see how necessary it is to dispose of him some way or other. If you tell them from whom you had it, I hope they will give never the less credit to it. I am not glad to hear the Duke of Vendôme is in England; I fear it will not be the better for the King's affairs. I do not remember any such thing as Mrs. Abell

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desires; some bills there were signed by his Majesty while in the north, and undelivered when I came away. Those I left in a black box on the top of my old cabinet in Drury Lane. If hers be not amongst them I can give no directions for finding it. Last week I told you what I had understood from England of a jealousy some there had that Mr. Secretary was in treaty with the ministers here upon some business. I likewise represented how little ground there was for it, which I must now confirm by this circumstance, that intimation has been since given to Mr. Secretary that the Card[inal Richelieu] takes it ill he came not to visit him as soon as he came to town, and that he has not been with him in all this time. We are upon a resolution to go into the country, but it will not be suddenly, neither do I wish it may be before we have some answer to this week's letters, which I beseech you to hasten—my heart will not rest while we are in France. P.S.—Gives directions for payment of the rents due last Michaelmas to Mr. Halsteed and Mr. Holman. [*Seal with arms.* 2 *pp.*]

[Feb. 20.] 40. Petition of Thomas de la Vall, merchant, to the Council. By license from this Board [Jan. 31, 1639–40] petitioner was authorised to transport a quantity of rye beyond seas, it being then, and still, beneath the price limited by statute for transportation; but since, for causes known to your honours, the exportation of corn and such like provisions has been restrained. Now petitioner being so authorised bought a great quantity of rye and mislin [mixed corn], but the said restraint issuing he is not suffered to ship it, neither can he vend it in the kingdom without great loss, whereby he is like to be greatly damnified. Wherefore he prays that the Lord Treasurer by your order may direct the officers of the Customs in the ports of Suffolk, Essex, and Kent to suffer the transportation of 400 lasts of rye and mislin, provided it be done while the price is under the rate allowed by statute. [$\frac{3}{4}$ *p.*] *Annexed,*

40. I. *Certificate of the bakers and cornmeters of London that rye is now sold in the city and country for* 16*s. the quarter and under, and mislin for* 17*s. the quarter and under; and there is very little of these grains vended in London, because wheat is sold at so low a rate, nor does the city of London make any provision at all of rye or mislin. And to our knowledge the corn farmers are very desirous to sell the said grain, but without licence for transportation it will still remain on their hands, to their great hindrance. December* 9, 1640. [$\frac{1}{2}$ *p.*]

40. II. *Certificate of the same to the same effect. January* 6, 1640–41. [$\frac{1}{2}$ *p.*]

40. III. *Certificate of the justices of the peace for Suffolk that at Ipswich the prices of wheat, rye, and barley do not now exceed the prices limited in the statute* 3 *Car. I. Dated Feb.* 20, 1640–1. [6 *lines.*]

Feb. 20. 41. Notes of business transacted at the Queen's Court at Denmark House relative to the Queen's lands in cos. York, Lincoln, Northampton, and elsewhere. [1 *p.*]

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1640–41. Feb. 21. 42. Petition of John Davenport to Francis Lord Cottington, Master of the Court of Wards. Philip Maynwaring having continued his livery eight years, thereby and by reason of his Majesty's possession kept petitioner's tenants out of the possession of the waste of Withington Manor, Cheshire, and petitioner on his own motion was left to the law, and Mr. Maynwaring to take no advantage of the King's possession. But petitioner's tenants putting out some cattle into the wastes, to the end Mr. Maynwaring might impound, the latter has prosecuted contempts in the said Court against petitioner's tenants; and thereupon last Michaelmas term it was ordered that Mr. Maynwaring should sue his livery forthwith, but he still prosecuting the contempts, this term you discontinued his livery. Mr. Maynwaring has continued his livery before petitioner moved the Court the last day of compositions that his livery might stand discontinued, and that petitioner and his tenants might not incur any contempt against this Court in putting their cattle into the waste, but might be left to law. Mr. Chamberlayne, taking his notes short, has omitted from his rule that petitioner and his tenants shall not incur the contempt of the Court by putting out the cattle. Desires order that petitioner and his tenants may not incur any contempt by so doing, but may be left to the law. *Underwritten,*

42. 1. *It was the intention and meaning of the Court that Mr. Maynwaring's livery should not only be discontinued, but that Mr. Davenport and his tenants should not incur any contempt of this Court by putting their cattle into the said waste, and therefore let so much be added to the rule. Francis Cottington,* 21 *Feb.* 1640–41. [*Copy.* 1 *p.*]

Feb. 22. Mar. 4. The Hague. 43. Elizabeth Queen of Bohemia, to Sir Thos. Roe. Yours of Feb. $\frac{11}{21}$ was very welcome to me, being glad to see you are so far recovered as to write your name. I am extremely glad the King made so good a declaration to the Parliament concerning the match. I hope my letters will come in good time; I have desired Sir Richard Cave to acquaint you with them. The next from me I believe you will receive by a friend of yours, who will only stay this next post; and if then he have no strong command to the contrary, he will be with you, if the wind permit, this next week. I am in very good hope that now something may be done for me, being so well assured of the Parliament's good affection to me, and having confidence in your good advice; so I hope I shall have cause to be glad of the match. But I pray still press that both the treaties may go together, else I fear the worst. I am glad you are so well satisfied with your daughter and Sayers; I will do all I can for them. As for that particular of his having a charge here and keeping my service, it is a thing I cannot assure, it being a special favour that the Prince [of Orange] has done for Honeywood, also the permission of Cave's being with my son; and if I should do it so soon for more, I fear a refusal. Besides I assure you it is no easy matter to get a company or troop of horse for one that never had charge before in this army. I had much ado to get Biron, who

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served me, his uncle's company, though he was to quit my service for it. Stone got his troop pretty easily; but he had been here these 11 years, and quitted his service too. This I only tell you that you may see it is no easy matter to do that for him, but you may be sure that all that is in my power I will do. As for Queen Mab, you know I love her very well. I have had letters from Maurice, from Cham in the High Palatinate. He tells me Banier had intercepted a letter of the Duke of Bavier's [Bavaria's] to the commander of Amberg, where he writes that he understands there is in Banier's army a young Palatin, and that he should take good heed no bailiffs or other officers of the country either go to see him or have any correspondence with him; if they do then to take them prisoner and send them to him. You may see by this how jealous a guilty conscience is. Maurice is still very well used by Banier, who now makes more of princes than heretofore, since he has married the Marquis of Baden's daughter. [*Two black seals with arms and crown.* 2 *pp.*]

Feb. 22. 44. Petition of Cecil Lord Baltimore to Francis Lord Cottington, Master of the Court of Wards. Last vacation a commission issued to examine witnesses in a cause wherein the Earl of Shrewsbury and others were plaintiffs by information against petitioner, who at his great charge fetched witnesses to Shaston in Dorset, some a hundred miles, some further; yet because the commission was to examine witnesses between the Earl of Shrewsbury, plaintiff—without saying "and others"—and petitioner, defendant; and petitioner's interrogatories being entitled "Interrogatories to be administered to witnesses on the part of the Earl of Shewsbury and others, plaintiffs," which was right, the Commissioners of the Earl of Shrewsbury for this small variance, having examined only one witness, would proceed no further in examination of petitioner's witnesses. Whereupon petitioner by his counsel moved twice this last term to renew the commission, but in regard of the privilege of the Earl of Shrewsbury, this time of Parliament, the Court would give no directions therein unless the said Earl would consent. Whereupon it was moved the last sitting at compositions, and there by consent of counsel as was conceived agreed, that the commission should be renewed, and that the deposition of that one witness taken as aforesaid should stand; and that one Robert Lewin, gent., named a defendant, who had disclaimed by his answer, should be examined *de bene esse,* and then that publication should pass peremptorily the first day of next term. Yet Mr. Chamberlain, conceiving the order to be by consent, took notes only of publication, which the plaintiff's solicitors taking notice of will not now consent to renewing the commission, nor that the deposition taken shall stand, nor that Lewin shall be examined. Petitioner prays you to stop the said rule, unless the plaintiff consent as aforesaid; otherwise petitioner should be surprised having examined only one witness: all which he has made appear to this Court by several affidavits. *Underwritten,*

44. I. "*Let the rule be stopped, unless the plaintiff consents to the renewing of the commission and examining of Robert Lewin de bene esse. Francis Cottington.*" [*Copy.* 1½ *pp.*]

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Feb. 22. 45. Receipt by Charles Franckland for 29*s.* 3¾*d.* received from the incumbent of Stony Stanton, co. Leicester, for tithes due to the King at Christmas, 1640. [*Printed.* 3 *lines.*]

Feb. 23. Covent Garden. 46. Sir Will. Uvedale to Matthew Bradley. I am sorry to find you have not been well, but your letter gives me some comfort that the worst is past, and you hope to be at York, to receive this and to take order for such moneys as are to be returned by bills of exchange. I am as unwilling to entertain any moneys in this kind as you are, and do consider the trouble of it; and if you will forgive it me at this time, I will promise to do so no more. The state of our money here stands thus: to-day I shall have 20,000*l.*, which I intend to despatch towards you with all speed by Goldsbury; the rest, to make up a full month's pay for the army, which is 24,000*l.*, I am promised with all speed from the City, which I intend to send after by Harrison, either in clear cash or by such bills of exchange as I shall receive from you—for the first 20,000*l.* shall come clearly to you in money, and be directed to you at Ripon. Here will be the difficulty, the army being designed a full month's pay, how to begin any payments till the rest comes, without great discontent; but this I will leave to your ordering, for you are a thousand times better at it than I am. And now you have time to make up your reckonings for one month's pay. I doubt not yours are ready, but you must give order to Leech to prepare his, that you may give him his proportion and no more. For Miviett's and Henn's I have here sent you the sums they have sent me this last return, and by Harrison they shall receive theirs by your delivery, and no otherwise. Some moneys have been paid here, whereof I enclose a note lest it should be twice paid; and now I am in a manner forced by an order from the Parliament to pay all commanders here that are members of that House. I send a note from Sir Hugh Cholmley for 280*l.*; return it, I pray, upon me. There are many sums which I should return upon you by directions from yourself, but I will reserve them for the next, for I intend to send you this 20,000*l.* neat. If my Lo. Lieutenant had been tried last Wednesday, I think we should have had in all our moneys by this time; but it was put off till next Wednesday, to-morrow, whereof we have great expectation. P.S.—I sent you a note for 200*l.*, to be returned for [Richard Viscount] Dungarvan; I have not heard of it since, nor have you, I think. [2¾ *pp.*]

Feb. 23. 47. Certificate of John Blemell, curate of St. James', Bury St. Edmund's, Thomas Stephens, headmaster, and John Hobman, undermaster, of the Grammar School, Bury St. Edmund's, to Bishop Montague, of Norwich, that Paul Gosnold, M.A., has diligently studied and made progress in theology, has lived soberly and piously, and has never, so far as we know, held anything which is not orthodox; and conforms to the rights and ceremonies of the English Church in all particulars. [*Latin.* ½ *p.*]

Feb. 24. 48. Order of the Grand Committee of the House of Commons for Grievances. These are to require you, Sir John Lambe and Richd. Weoley, to appear before the committee this day month to answer such matters as shall be objected against you, and you, the witnesses, are to deliver your testimony in such matters and things

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as shall be propounded to you on behalf of John Speckard and John Everet, who are then to make good their petition before the said committee, and to bring with you all records, account books, registers, or other papers that in anywise may conduce to the proof of the petition. [½ *p.*]

Feb. 24. 49. Edward Nicholas to Mr. Smith, fellow and tutor of Queen's College, Oxford. I understand by my brother, the Dean of Bristol, how far I am engaged to you for your promised care of my son [John], and of the course you intend to take with him in his studies. I thank God he is endowed with convenient natural parts, and I hope you find him reasonably well grounded in Latin and Greek, so that he can apply himself to his studies, as I doubt not he will. I hope you shall receive encouragement in your pains with him. Be pleased to consort him at first with civil company, wherein I doubt not but you will find him tractable; for, I thank God, I have not heard that he is as yet addicted to any vice or disorder. I desire he may be kept to disputations and public exercises in the college as soon as you shall think him fit for it, for he will hereafter, when he gets further into the world, find it of very great use to him. [*Draft.* 1⅓ *pp.*]

Feb. 24. The same to his son Jack. I have received your letter, and am so well pleased with the words and phrases, and with your hand, that I would have you continue your care to write to me sometimes, that I may understand how you profit. Have a care that now at your entrance into the university you consort yourself with civil and orderly company, for with debauched companions you will lose reputation and time, which are the two most precious things belonging to this life. You are happy in having a man of so great worth for your tutor, whose care is so well known; observe his directions, as I hope you will, with diligence, and you will bless God for him hereafter; and if you take not good courses having such a tutor, the blame and shame will be your own. Be careful to serve God above all things both privately and publicly, and let His fear, which is the beginning of wisdom, be your guide in all your studies and actions, so shall you be sure to find His blessing upon your endeavours. [*On same paper as the above. Draft.* 1 *p.*]

Feb. 25. Warrant of the Commissioners for Gunpowder to Mountjoy Earl of Newport. You are to issue 36 barrels of gunpowder to Maurice Thompson, merchant, for furnishing of ships and other occasions. [*Minute, see vol cccl v., No.* 61, *p.* 15, 3 *lines.*]

Feb. 25. 50. Petition of Gregory Kiddman to Francis Lord Cottington, Master of the Court of Wards. Petitioner's father died, seized of a messuage and certain acres of land in Gissing, Norfolk, and left petitioner his son and heir, of full age, who took possession of the said messuage and lands, and has held possession ever since. Since petitioner has preferred an information in this Court against William and Grace Futter and their son, William, to prepare an office after the death of petitioner's father. The defendants and Francis Cheyney, their attorney, have indicted petitioner at the

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1640–41. sessions in Norfolk for the same lands here in question. Petitioner obtained an injunction out of this Court to stay their suit at common law, and they are in contempt of this Court for disobeying the said injunction and using contemptuous words against this Court, as appears by the annexed orders. But, notwithstanding the injunction and their contempt against this Court, they have obtained a writ of restitution at the sessions, and since petitioner's coming to town have turned his wife and children out of possession. May it please you to grant petitioner an injunction against the said defendants, and all others whom it may concern, to deliver up possession to petitioner, and that, according to the rule hereto annexed, possession may be continued to petitioner as it was at the death of his ancestor, and that Cheyney may be inserted in the information. *Underwritten,*

50. I. "*I desire Mr. Attorney of the Wards* [*Robt. Wandesford*] *to consider this petition and the orders hereto annexed, and to give such further directions therein as he shall think fit. Francis Cottington.*" [*Copy.* 1 *p.*]

Feb. 25. 51. Notes of business to be transacted at the Queen's Council at Denmark House this present afternoon relative to her lands in cos. York, Norfolk, Beds, Middlesex, Lincoln, and Cumberland. [1 *p.*]

Feb. 25. 52. Remembrances of business transacted at the Queen's Council. [$\frac{2}{3}$ *p.*]

Feb. 26. York. 53. Sir John Conyers to [Edward Viscount Conway]. Having understood from Mr. Scauen that his Excellency [Algernon Earl of Northumberland] has still his fever, and that therefore I have received no letter from him this week, I have therefore sent Mr. Scauen the like copies as are enclosed herein, and have written to him of all the business I now have, entreating him to inform his Excellency of it at the most seasonable times. It is a corporal of your own troop that in shooting at dogs in Cottingham has killed the man; by good fortune Capt. Burgh apprehended him. I have written to Capt. Harvey to take informations of the fact in presence of some justices of peace or men of quality of the country, and officers of the regiment, and to send me the informations and the prisoner; and I beseech you to put the Lord General in mind to send order what shall be done in these cases. But it were good means were found to do justice here for the example of the army. From the scarcity of forage the troops lie far separated, and very few officers are here, so that the troopers take the more liberty. I would not write of this to his Excellency lest it might prejudice your stay there; but pray get those whose business is not very urgent sent to their charges, for at this time officers are most needful. And we hear nothing of the Advocate of the Council of War, who has been absent long. If he were here we might sometimes frighten those who commit these disorders. If the garrison of Berwick be dissolved, as it will be, and neither the King nor Parliament take order for the garrison, nor care for me, who shall have sustained so much prejudice by my service to his Majesty that I

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shall be totally ruined by it; I beseech you meantime advise me what shall then be fittest for me to do, how I shall make my state known to the King, by letter from myself or by petition so soon as I hear of the dissolution, for I shall have no friend there that will move the King for me. If you find opportunity speak with his Excellency of this, and if possible by the next give me an answer to this point. By Sec. Windebank's letters to me, by order of his Majesty, I am promised my entertainments at Berwick for my life. [2 *pp.*]

Feb. 26. York. 54. The same to Mr. Scauen. I am wonderfully sorry to hear of his Excellency's indisposition; what I have now to say I entreat you to inform him of when you find a conveniency. The insolences in the army daily increase through want of money and means to do justice; and I think the one is as needful here as the other, and when money comes I fear the disorders will be greater, for the army takes notice that here is no power to punish offenders. Divers disorders committed lately have been slubbered over with some few days' imprisonment, and the offenders released again. I enclose copies of a letter and information sent me by a justice of peace of Pickering-Lythe Wapentake. The offenders were troopers of Lord Carnarvon's troop, four in number; two more were in the town, but meddled not with the disorder. I wrote to the Lieutenant to apprehend them, which he did, and that letter being seconded by the person of Capt. Allen, they were all four brought hither, and are here prisoners. I have also sent to the justices of peace in those parts to take informations on oath from the townsmen and all that had any knowledge of the business, and send them to me; but by divers relations which I have heard I find little difference from those I here send, for by report of all men it is a foul fact. I am likewise yesterday informed of a trooper of Lo. Conway's regiment that in shooting at dogs has killed a man, and the people will say it was wilfully done. He is apprehended, and I have written to cause informations to be taken of the fact and sent me hither with the prisoner; and I beseech his Excellency to direct me what is fittest to be done in these cases. If no power be afforded us to punish these and all other offences, we shall not be able long to subsist. For the prisoners now spoken of I think it best to commit them to the common gaol; but in this I shall expect his Excellency's order. I have lately received so many petitions from the country about Pocklington, and complaints from the officers of those troops of Lord Carnarvon's regiment that were remaining there, that I have been constrained to order the removal of their quarters, and have sent the Quarter-Master-General to lodge them in Pickering-Lythe in the same quarters that were awhile since ordained for them. I have likewise given order when that is effected to remove the two troops from Richmond into the parts between Pickering, Malton, and Kilham in the nearest conveniency he can to Burroughbridge, where the foot are not. Lord Conway's regiment I think will be able to stay there till money comes, and then according to his Excellency's order they shall remove into Holderness. [*Copy.* 2 *pp.*] *Encloses,*

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54. I. *Robert Wivell, J.P., to Sir John Conyers. I presume to present the enclosed tedious complaint (see above), hoping on your friendly acceptance; wherein you may find how much the office I bear under his Majesty, during his pleasure, has been abused, and how these parts do suffer; nothing doubting but that these injuries, by the honour you bear to the place of judicature and justice, without any respect to my person, the general abuses towards the country, and some towards particular persons, shall by your means forthwith receive condign punishment and plenary satisfaction. Otherwise I must crave your excuse if I complain to a higher Court to make their insufferable offences known; for if they had murdered me out of hand, as I am verily persuaded they intended by their words and deeds, better may the country be satisfied by their exemplary punishment than my wife and children could have received any recompence by all their estates and ten times more; nay, farther by their lives. Osgodby, 20th February* 1640. [*Copy.* 1 *p.*] *Subjoined,*

54. II. *Information of the evil behaviour and grand abuses of certain troopers of Lord Carnarvon's own troop, now billetted at Hutton Bushell and Ayton in the North Riding, whose names I cannot certainly express, but they are well known to the Captain, Lieutenant, and the rest of the officers there.* 1. *In general:—Highway robbery, and taking money from the party, attempting to violate women, threatening to burn houses if they have not their desire, frequent riding forth of their quarters to drink themselves drunk, &c. These I have only by relation, but to be made good, three of them by the parties who suffered, and the fourth by the testimony of* 100 *sufficient persons, and more if need require.* 2. *In special:—Last Wednesday afternoon, the* 17*th inst., in the town street of Seamer, two miles from their quarter, five or six of these troopers abused a traveller by beating him off his horse and making his face bleed, which presently occasioned a quarrel; whereupon murder was cried, and that two men, naming them, were likely to be killed by the troopers. I being by accident newly come into a house hard by where they were fighting went forth to them, accompanied by two or three of my friends, thinking to pacify the quarrel, and cried the King's peace; but it would not be observed, nor did my words take any place with the troopers, for they were most wickedly inclined to mischief, as the sequel shewed. For I stepping to one of them, who had his sword drawn, took good hold of him and kept him from doing harm; another of them, seeing I would not let him loose, gave me six wounds on my bare head with a sword, besides three deep cuts on the inside of the fingers of my right hand; all which may be testified by one of their own surgeons who*

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has me in cure for them. They also wounded three persons more at least with their weapons, besides throwing of stones and striking with sticks and cudgels by those who had no other weapons. My wounds bleeding very fast, I was forced to withdraw into the same house with three of my friends; they pursuing us threatened to kill us or be killed themselves. We resisted them within the house as long as we could, being but four persons, all the rest of the household having fled for fear, and two of us sore wounded, the other two sore bruised. They at last broke in, and we were forced to fly to an upper chamber by means of a short ladder. They still pursued, threatening and thrusting up their swords at us, and swearing they would pistol us or burn the house over our heads, which we fearing were forced to break down a piece of the back wall of the chamber, and so escaped to another part of the town; which they perceiving on their return committed divers misdemeanours too long to recite here. After all this they braved very much in the street with their drawn swords, putting all the town in very great fear of more harm by them. This tumultuous uproar continued two hours at least. The former general points on the country's behalf, and the truth of this in particular concerning myself and the rest of the parties thus grievously wronged, I desire you to refer to John Legard of Galveton and William Cayley, two of the next justices of peace, giving them power to examine on oath or otherwise, and to certify you thereof, that you may not only order the severe punishment of the offenders, but also the better regulating of such hereafter during their abode in these parts. 20 *Feb.* 1640. [*Copy.* 2 *pp.*]

Feb. 26. Mar. 8. Paris. 55. Robert Reade to his cousin, Thos. Windebank. The post has held us long in expectation of letters this week, but is at last arrived with yours of Feb. 18. The posts are of late in very much disorder. I hope Mr. Treasurer [Vane] will see them better settled. I can give no other direction for finding Mr. Wallinger's paper than that I left it amongst others on my table in my study at Drury Lane. The Six Clerks' charter is somewhere in my lower chamber at Whitehall. I believe you will find it in the trunk where the tally was; but you must take heed not to deliver it to any of them, or any other, without the King's special order, for his Majesty commanded Mr. Secretary to keep it; and therefore you are to know his Majesty's pleasure in it. And to whomsoever he shall command you to give it, you are to require a discharge for it from them before you suffer it to leave your hands, for it is a business of consequence. Had we thought sooner of a country life we should not have desired so many clothes; we shall leave with some friend in town those that are not fit for the country. My uncle understands not on what ground Mr. Augier can make any complaint against him, but because clamours with and without ground are now equally received, and by malice

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aggravated, he desires you to speak with Mr. Jermyn about him, and entreat him to know what the matter is, and if the business be worth taking notice of, that he will please take him off, yet in such a way that Augier may not think that Mr. Secretary is afraid of him, as really he is not, but rather despises him. For the other complaint you apprehend against Mr. Secretary, I protest to God nothing in the world is more false, and I cannot believe any man will undertake to make such a complaint, much less to prove it. On the contrary it will be proved that Mr. Secretary has hindered the transportation of children to monasteries, as will appear by bonds taken of Sir Richard Lechford not to convey over his daughters, which he was about to do; and those bonds remain amongst my papers in my cabinet. It is true that the King having given leave to the Spanish Ambassador once to transport recruits, and some of the officers levying men in Southwark for that purpose, being resisted by a company of unruly people, complaint was made thereof to Mr. Secretary, and he laid them up by the heels, as they well deserved; and it is not improbable this report arises hereupon. If you can imagine that it proceeds hence, speak with Mr. Lightfoot about it, who was a friend to one that was punished for that business, and advise with him about suppressing that malicious report. I can get no certain answer from my uncle about his writing to the Queen, but will endeavour again to persuade him to it, for time is not to be lost in such a business. I pray God keep us from a proclamation, for it is ten times worse than a Privy Seal. You give so good answer still to my projects that I will trouble you no more with them, but hope that last week's despatch will set one wheel or other a-going. I beseech God deliver us, for you cannot imagine in what discontent we live here. I am yet confident it is in their Majestys' power to prevent any mischief against us, or at least to take much off from it. I cannot but infinitely wonder that Mr. Pierce's money is lost. I still think that in the confusion wherein we left it is laid aside somewhere, and may yet be recovered. If you still think Pharamond has it, I will charge him with it, though I confess I see not much ground for it. It is very good news you write concerning the posts; God reward you for it. I wish you would get my Lo. Duke [of Lennox] to write to Mr. Secretary, or my Lo. Marquis [Hamilton] or both, for it is a great addition to his troubles that none of them write one word to him, and it gives him the worse apprehensions of his unhappy businesses. Methinks it were not hard to get one of them to write him somewhat as from the King, which would be an unspeakable comfort to him. By the next I believe I shall let you know what place is resolved on in the country to retire to. My uncle is very desirous to go three or four days' journey hence into the country, and it is my work to endeavour to reduce it to one, that we may not be too far out of the way of correspondence; though one day will put it in so much disorder that, notwithstanding you and we shall write every week, we shall not have answers under three weeks. This is no place for us. I hope the country will be somewhat safer, though I shall not have

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much rest there. P.S.—My uncle has acquainted me with a letter he has written to my Lady of Arundel, and the directions he has given you about it. I put him in mind of some addition fit to be made to it, which he likes very well, and has commanded me to write it to you. That if her Ladyship, or any other with whom she shall advise, can think of any way to prevent any proclamation against him [Sec. Windebank], or at least to sweeten any rigorous course that may be intended against him, as probably such means may be found now that their Majesties and the Parliament seem to be on better terms, she would advance it with all her power. And really I think if the King knew how much dishonour he has abroad by this question of his Secretary, and had a true sense of Mr. Secretary's condition, both his Majesty and the Queen would be hearty in his business, which could not but produce good effects. I have considered that when they fall on our business they will go near to question Mr. Secretary for coming away without licence, and therefore it will be fit to get the King's hand to a pass for him, which will prevent that. I believe the King will not make a difficulty to do it; but lest he should, it would not be amiss to get the Queen to present it to him for his hand. My uncle holds it fit to be done, and I send you herewith such a pass as is to be signed, with the date it must bear. It will be good to get this very paper signed, for being my hand, it will the rather be thought it was made before our coming away. When signed, get Mr. Porter to seal it with the signet remaining in his Majesty's custody, for the more secrecy, if it may be conveniently done; otherwise it will be valid without a seal, but the stronger the better in this case. You shall not need to send it hither, but keep it by you to produce on occasion. My uncle thinks not fit to write to the Queen about your business, because he holds it not a place fit for you at this time, by reason of the hazard of it; and besides, he believes if the Queen should incline to do it at this time the Parliament would take shadow at it, and it would be the worse for his businesses. However, he advises you to consider it seriously, and consult some of your friends in it. Mr. Browne, the new clerk of the Council, has written about Mr. Wallinger's paper, but I can give no other direction for finding it. Among those papers on the table was a petition of Mr. Foster, which I beseech you find at your leisure, and keep very safe. [2⅔ *pp.*]

Feb. 27. 56 Note of various fees and charges for attachments, &c. [*Endorsed by Sir John Lambe:* "Sealed Feb. 26, 1640[–1]." ⅓ *p.*]

Feb. 26. / Mar. 9. The Hague. 57. Elizabeth, Queen of Bohemia, to Sir Thos. Roe. I told you my next should be by a friend of yours, which you will now see I have done. The wind being so good I was loth he should lose it, and the little Prince here making account to go very speedily, I had no mind to give my brother the trouble to receive them both at once. By my former letters to Sir Rich. Cave, and by what my son will tell you, you will know the reasons of this journey. [*Two seals, with arms and crown.* ⅔ *p.*]

Feb. 28. Cottingham. 58. Captain Edward Burgh to Edward Viscount Conway. Gives an account of his lordship's horses, and how he is fulfilling his directions concerning them. [*Seal with arms.* 1 *p.*]

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Feb. 28. [Ri]pon. 59. John Rowland to Matthew Bradley. Do me the favour to pay for my use to Mr. Goldsborough, who has the conveying of the money to the army, such moneys as are due to me as chaplain to Sir Jacob Astley's regiment. The last money I received was on November 4, 1640, fourteen days' pay from Messrs. Leech and Talbot, not due till the 10th of the same, as you may know by a note under my hand left with them to pay themselves at the day. Since which time I never received a farthing; but what our officers received for me will appear on your books, and who received it. I hear Serjeant-Major Astley and Capt. Townsend received what has been paid since; if you desire them when they or either of them come to receive the next moneys, I presume they will leave in your hands what they have already received of mine, that Mr. Goldsborough may return it me with the rest. [1 *p.*]

[Feb. ?] 60. The King to John Cropley. Appointing him clerk to the Commissioners to examine defective titles, in place of Simon Prickells, deceased; and authorising him to receive all books and papers with the Commission, that were in the custody of the said Prickells. [*Draft.* $\frac{2}{3}$ *p.*]

[Feb. ?] 61. Petition of John Gibbon, on behalf of himself and others, his Majesty's fee farmers of part of the late improved lands in the Level of Hatfield Chase, to the King. Your Majesty [four] years since referred to the Lord Treasurer [Juxon], Lord Cottington, and Mr. Sec. Windebank examination of a complaint then exhibited by petitioners of undue sales made of their lands by certain Commissioners of Sewers, sometimes to themselves and servants, and others underhand trusted for them, at less than one-third the value, sometimes of lands never taxed, and sometimes of moneys paid before by petitioners, and touching other unwarrantable proceedings of those Commissioners to petitioners' great damage; and the said referees, 16 June 1638, entered into the hearing thereof, gave some direction, and appointed a longer day, on the said Commissioners' desire, for the further hearing thereof. Yet the said Commissioners, not willing to hazard a thorough examination of their doings, albeit they had taken a further time to attend the said referees, and had, by their direction, received a particular of petitioners' complaints in writing to enable them to answer at the referees' next meeting, the 24th of the same June, in abuse of your Majesty and the referees, by not informing what had been by them done, and to the great delay and wrong of petitioners, procured the said referees to be superseded. But upon sight of the order annexed, formerly made by the said Lords referees, and consideration of the nature of that reference, which was but, upon a full examination, to draw the business into a compass fit for the hearing of your Majesty or the Council, where great affairs of State cannot admit the debate of a business of such a length as cannot in one day be determined, you signified your pleasure, June 29, by Sec. Windebank, that the said reference should proceed. Whereupon—after some delay by the Commissioners, who pretended the matter should end in an arbitrary way, but from day to day failed to bring their arbitrator—petitioners and the said Com-

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missioners lately met before your Chief Justice of the King's Bench [Sir John Bramston], and Mr. Justice Jones, to prepare the business for the further hearing of the referees, according to their order annexed. At which time the Commissioners, to frustrate that meeting likewise, produced another subscription on a petition of theirs, under the hand of Mr. Secretary Coke, that the matter, upon pretence that their proceedings were in pursuance of some orders there made, should be heard and determined at the Council Board, and the former references upon your Majesty's pleasure twice signified be superseded. Now for that petitioners shall never decline a hearing at the Board, and shall again and again petition that their sufferings may appear in your own presence, when the truth thereof shall upon examination by the referees be reduced into such compass as may stand with the affairs of that Board; and that the obliquity and unreasonableness of the Commissioners' acts is the thing petitioners complain of much more than their illegality of proceeding, and the said referees, being also of the Council, will, without doubt, give all due regard to the orders of that Board; and for that the labour of the Commissioners to decline the said reference is done purposely, to avoid the thorough examination of their unlawful proceedings, and weary out petitioners with excessive charge of attendance, it being now four years since the first petition exhibited to your Majesty, during all which time they have taken the profits of part of petitioners' lands, and do support the defence of the suit with a common purse. May it please you again to signify your pleasure that the reference to the Lord Treasurer, Lord Cottington, and Mr. Secretary Windebank may proceed, and a certificate be made by them of the truth of the cause, that such further order may be given therein by your Majesty or your Council as to justice shall appertain. [½ *p.*]

[Feb.] 62. The Commons' declaration and impeachment against William Laud, Archbishop of Canterbury; William Juxon, Bishop of London; Sir Henry Martin, Knight; Sir John Lamb; Sir Charles Cæsar; Sir Nathaniel Brent; Dr. Thos. Eden; Dr. Robt. Aylett; William Brey, clerk; and John Wragg, for divers crimes and misdemeanours, upon the complaint of John Bastwick, Dr. of Physic. It recites the proceedings of the above-named High Commissioners and others against Bastwick in the years 1633 and 1634, denounces them as illegal, and founds certain articles against the above persons on them. *Endorsed:* "Impeachment of Archbishop of Canterbury by the House of Commons." [*Draft.* 15 *pp.*]

[Feb.?] 63. Petition of Samuel Vassall, M.P., to the Committee appointed to consider the sufferings of the members of the House who suffered for their affection to the Commonwealth expressed in the Parliaments of 1 and 3 Caroli. Petitioner, for his obedience to the declaration of the House in 3 Car., that no tonnage or poundage was due to the King unless it passed by Act in Parliament, had several parcels of currants seized, to a very great value, whereby he was very much

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damnified. And whereas several orders have been [made] by the House of Commons referring it to the Committee of the Navy, and the Committee where Mr. Glynne has the chair, to report petitioner's case, and what is fit to be done for his relief, he prays you to take his condition into consideration, and do therein as to you seems meet. [*Damaged by damp.* 1 *p.*]

[Feb. ?] 64. Petition of the Cardmakers' Company, London, to the House of Commons. By statutes 3 Edw. IV. c. 4. and 1 Rich. III. c. 12. all foreign cards were prohibited to be imported into this kingdom, which Acts have been from time to time continued, being thought requisite for the good of this Commonwealth, and tending to the maintenance of the manufacture here, whereby many natives have supported their families. Notwithstanding all which, great quantities of foreign cards have been yearly imported into this kingdom, almost to the destruction of the manufacture here, and to the great impoverishing of petitioners, who were compelled to petition his Majesty for relief. The King, in the fourth year of his reign, granted them his letters patent of incorporation, giving them divers privileges, and appointing an officer to seal all playing cards made by any of their Company, with power to petitioners to seize all foreign cards or cards defectively made or not sealed, and to confiscate the same to his Majesty's and their own use. Since which, divers merchants and others have nevertheless imported many thousand gross of foreign cards contrary to the statutes aforesaid, and the book of commerce lately made with France, and infringing the charter granted to petitioners, who then being very poor, and unable to wage law against so many and so powerful adversaries, could not prosecute the punishing of these abuses, and so from their extreme poverty became a prey to the Haberdashers and other Shopkeepers of London and elsewhere, being compelled to sell their cards at such extremely low rates that they scarce got bread for their fainting bodies. And thereupon his Majesty and the Council were intreated for relief in such distress, and his Majesty, in the thirteenth year of his reign, graciously covenanted with petitioners under the great seal to buy a constant weekly proportion of good cards, as in a schedule thereto annexed is expressed, at specified rates per gross; and to such of the Company as are poor widows, aged men past labour or not able to maintain themselves, his Majesty out of his princely goodness allows a maintenance out of his profits on the said manufacture, for which petitioners praise God and bless his Majesty. In consideration of which contract petitioners most willingly submitted to the sealing of all playing cards made by the Company, and that 36*s.* should be raised to his Majesty on every gross of fine cards made and sold in this kingdom, which they are confident will amount to 5,000*l.* or 6,000*l.* per annum constant revenue to the Crown for ever. And this, being an unnecessary commodity not affecting man's livelihood, and divers statutes still being in force restraining the common people in some sort from the use of cards, we conceive his Majesty may better raise money on cards than on any other commodity, without hurt to his people; yet we are informed that the merchants and shopkeepers enjoying the

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revenue likely to be raised on this manufacture, by untrue surmises misinform this House against the business, alleging that his Majesty's duty upon raising the price of cards is a burden to the subject, and their trade is thereby taken away, whereas both the making and selling cards belong only to petitioners, although neither they nor any are debarred from buying and selling cards as formerly if they are duly sealed according to his Majesty's command: yet such is their merciless disposition that divers of them, hoping petitioners shall again be left succourless under their unmerciful hands, have protested petitioners shall be worse used by them than ever before. Petitioners pray this House that his Majesty's charter of incorporation and orders thereupon made by the power thereby given, with his Majesty's contract, may be confirmed by Act of Parliament, they tending much to the advance of the revenue, the maintaining many families using the trade, the bettering of the manufacture within the kingdom and to the great relief of their poor. And as quantities of foreign cards are imported into this kingdom contrary to statute, and secretly sold, the unjust gains thereof rising to a greater value if they pass undiscovered than the loss they can sustain by the confiscation of the same, petitioners beseech that a penalty of 40*s.* may be imposed on every dozen of foreign cards that henceforth shall be imported into this kingdom, or shall be bought or sold in England and Wales by any person whatever. And for securing his Majesty's revenue, petitioners will most willingly submit to the like penalty of 40*s.* for every doz. of cards disposed of by any of their Company before being sealed by his Majesty's officer. And they further entreat that no playing cards directly or indirectly may be sealed but those made by petitioners and the members of the Company, and by the master and wardens for the time being first approved, on the like penalty of 40*s.* on every doz. so sealed. Signed by 39 cardmakers. *Underwritten,*

64. I. *There is another petition to the same effect by the whole Company of Dicemakers,* 21 *in number.* [*Copy.* 3 *pp.*]

[Feb. ?] 65. Another copy of the same, but signed by only 32 of the cardmakers. [2 *pp.*]

Feb. 66. Petition of Sir William Playter, plaintiff with others in a suit against Francis Gent, his Majesty's ward, and others, defendants in a cross suit, to Francis Lord Cottington, Master of the Court of Wards. Both the said causes being set down to be heard before you the 4th of this instant February, petitioner's bill was only opened and defendant's answer thereto, whereby petitioner craved allowance of a lease for 99 years of Mills Farm, Essex, made by Henry Gent, the ward's grandfather, to Eliz[abeth] Young, for 300*l.* due to her for her portion, and 350*l.* paid, which lease was redeemable at Michaelmas 1638 by payment of 650*l.* by the said Henry Gent or his heirs. Not being redeemed, the lease was assigned to petitioner for the consideration of 650*l.* paid by George Gent, whereof 348*l.* was paid to Eliz. Young's husband, and 302*l.* to Henry Gent by Young's appointment. Your Lordship and the

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Court conceiving that Thos. Gent, the ward's father, died before the day of redemption and that only 348*l.* was paid in his lifetime, and that both causes had been fairly brought to a hearing, ordered petitioner and the rest of the plaintiffs to assign the lease to the ward's use on payment of 348*l.* Now as petitioner was never served to rejoin in the cross cause nor to the hearing thereof petitioner attending the Parliament, being a member thereof, he obtained a stay of the entry of the decretal order as by the order annexed may appear; and as his proofs are clear that the whole money was paid by George Gent in the lifetime of the ward's father, who lived a good while after the day of redemption of the lease, though you were not informed of it at the hearing: petitioner prays you to appoint his cause to be reheard before you the first Thursday of next term. *Underwritten,*

66. 1. "*For the reasons in the petition alleged, let this cause be set down to be reheard the first Thursday of the next Easter term, and let counsel on both sides have notice to attend the hearing. Francis Cottington.*" [1 *p.*]

Feb. 67. Certificate of Nicholas Stringer, Thos. Dannatt, John Rogers, and five others to the Queen's Council. In obedience to your letter of the 21st Feb. 1639–[40] requiring us to return an agreement made by us with her Majesty's commissioners or else appear before you at her Majesty's council-table, we humbly certify that according to the power given us by the inhabitants of the towns of Sutton and Lound to treat with her Majesty's commissioners and agents concerning their commons, we have used our best endeavours and diligence to give satisfaction and to come to a final agreement with the Queen's agents concerning our commons, as namely with Sir Gregory Fennor, Edward Wingfield, and Hugh Cartwright, the petitioners mentioned in your letter. And for that purpose we, the above-named referrees and agents for that town, have at our great charges despatched divers messengers to London for these three terms last past to treat with the Queen's agents. After divers fruitless debates and meetings at length, by advice of our counsel, previous to Hilary term last, certain articles were drawn to be proposed to the Queen's agents declaring our purpose and desires concerning the said commons. Further in Hilary Term we requested John Rogers, one of the above-named referees, to take a journey to London to treat with the Queen's agents concerning the articles so drawn, who accordingly did treat with Hugh Cartwright as a man best acquainted with the state of the towns of Sutton and Lound and their commons, he being their countryman, and having had former dealings with these towns concerning their commons as agent to the present Archbishop of York. The draught of these articles having been submitted by Mr. Rogers to Mr. Cartwright the latter after ten days returned them signed, with a letter of confirmation directed to Nicholas Stringer and the rest of the referees, which articles we now present to you desiring that they may be ratified and confirmed, and such rents to issue out of the said improved grounds as by George Brown, of West Retford, shall be thought meet according to an agreement made between the referees and the Queen's agents. [1 *p.*]

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[Feb.] 68. Ten articles showing the illegal proceedings of Archbishop Laud in a cause between the inhabitants of Reculver, plaintiffs, and the parishes of St. Nicholas and Herne, Kent, defendants, concerning the repairs of Reculver church. [2 *pp.*]

[Feb.] 69. Paper describing the present condition of the offices of the Robes and Wardrobe, and recommending certain orders for reformation of the abuses in the said offices, especially that the Clerk of the Robes should sign and vouch the bills of creditors and tradespeople immediately on delivery of their wares. [*Endorsed:* "Mr. Pindar for the orders of the Robes." [4⅓ *pp.*]

[Feb.?] 70. Rules observed by the council of the Court [of Wards] touching compositions for the marriages and leases of the lands of his Majesty's wards. For information of the true values of the lands every compounder on his admittance to find an office is enjoined immediately on the office found, to deliver in particulars of all the lands with their best improved values, and of the personal estate, which is termed the confession of the party. The feodaries also are enjoined to do the like close sealed up, which they call certificates. The compounder when he comes to proceed in the composition exhibits to the council a schedule drawn out of the office, whereby and by the confession and certificates or any other information, they consider the value, and if they think the land undervalued, then by the quantity and nature of the land, and if thereby they receive not convenient direction, then by valuing it at ten times the office, they advance the value; and this is called their own estimation. The ancient rule before the Instructions, was to rate it at four times the office. By these grounds, viz., the schedule wherein appears the values by office, the confession, the certificate, and their own estimation, they proceed to treat with the compounder. The fine for the marriage of an heir male they rate at two years' value of the lands in possession, at a year and half of the lands in reversion after one life, a year and a quarter after two lives. If it be for more lives, or certain years esteemed at three lives or more, then but at one year's value. For joint purchased lands in possession at two years' value, as for lands by descent in possession. For personal estate, a tenth part. The fine for the marriage of a female heir is rated at three years' value of the lands in possession, at two years for lands in reversion for one life, for two lives a year and a half. For lands that come to the ward by purchase, being in possession, at three years' value. For personalty, a tenth part. Consideration is to be had of the casualty if there be but one heir, and that very young, and of debts, encumbrances, &c. The rents of the lands for so much as comes to the King, are at the best values appearing by confession or certificate, allowing annuities and leases, if found in the office, if not leaving them to be proved in Court. For licence to marry, the widow pays the full part of her dower and a half. *Endorsed:* Sir Benjamin Rudyard touching compositions. [2 *pp.*]

[Feb.?] 71. List of the copyholders on Yorke's Farm, Middlesex, with the rents they pay, amounting to 7*l.* 16*s.* 11*d.* [*Endorsed:* "Yorke's

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Farm in Middlesex part of her Majesty's jointure, from Auditor Povey." 1 *p.*]

[Feb. ?] 72. A proposition [in Nicholas's hand]. It is headed, "The agitation of change of government in the Church in the House of Commons is a business of so high a consequence, that it is necessary to prevent any resolution by voting their judgment alone, lest that being brought up with prejudice to the Lords, who are and ought to be equally interested, may also prejudice the cause." It is doubtful in the heat of this dispute how far the Commons may go in the declaration of their opinions, in which if the Lords shall not concur, it may prove a great rock of offence between the two Houses. Therefore it is very requisite the Lords do timely interest themselves in the discussion and before any resolution in either House. To this purpose the Lords may make a committee in their House for the reformation of Church affairs and government, and demand a conference with the committee of the Commons that the business may be handled by consultation on both sides *pari passu*. At this conference the Lords may propose these grounds:—1. Neither by example nor reason in any age or state were matters ecclesiastical or mutations in Church affairs ever alone determined by laymen. 2. In the primitive Church and most ancient times matters of this nature were always debated in General Councils or national Synods. In the blessed Reformation the business was agitated by a choice number of divines, who communicated their proceedings with reformed divines abroad, and admitted some strangers to their consultations for the satisfaction of their brethren and peace of the church. 3. The public enemy of our religion will take infinite advantage at every alteration, especially any resolved alone by laymen. 4. It must of necessity produce a dangerous schism in the Church if without all respect of satisfaction to the parties different in judgment any conclusion be imposed on both without their consent. 5. Any resolution taken in passion cannot be permanent, but time will discover a necessity of fresh alterations to the shame of the whole reformation. 6. It is necessary to proceed in such a way as may not be scandalous to the churches abroad, and may give satisfaction to both parties contending at home, and may be durable and fortified with the consent of the ecclesiastic and the authority of the Parliament. To effect which it is true wisdom that both Houses declare for the present that the laws established for Church government shall be obeyed. And because all things in the first Reformation could not be foreseen, and some things were necessarily overlooked, which time and great liberty and light have discovered, and which may now be more fully considered, therefore both Houses may move his Majesty to call a national Synod, I mean of a select number of divines of all three nations subject to his Majesty, impartially chosen of moderate and learned men of both sides, in which may be resolved a uniform model of government to be presented to the Parliament of all the kingdoms for approbation. In which assembly godly men and lovers of peace, assisted by the Spirit of God, may doubtless be induced to receive satisfaction from one another in a conscientious way, and to yield to one another by

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the rules of charity for the public good of the Church. This solid course will allay the precipitation of passionate counsels, have authority in itself, honour in relation to foreign churches, and stability in these resolutions. I will be bold to add that if we settle these scruples of tender conscience by embracing this only counsel, I could wish an intimation were made to all the Reformed Churches, that if they send their deputies to assist in this pious work they shall, as assistants, be admitted, and I hope there may arise hence an occasion of re-uniting all the Protestant Churches, at least in fundamentals, leaving to every one a christian liberty in those forms of discipline which may be most agreeable to their Civil Government, which would not only strengthen the general cause of religion, but take away that strong objection of the public enemy, of such a division amongst ourselves as makes us appear outwardly twenty churches, or none at all; for from this division hath flowed all the advantages both in the estate and church of the Papacy against the Reformation and the Princes professing one truth not fenced about with one policy. [3 *pp.*]

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March 1. 1. The Scottish Commissioners to the English Lords Commissioners appointed to treat with them. We desire your Lordships to show to his Majesty and the Parliament, that in our last paper, dated February 24th, our intention and desire was merely to vindicate ourselves and our actions from certain aspersions, and to remove some jealousies and suspicions, which by a new device of our enemies, were without cause raised against us and to our great discontent did often fill our ears. This we conceived to be a necessary duty on our part fearing that such mis-reports might take place in the minds of those who did not know our innocence, and considering that our actions might be wrested to a sense contrary to our honest meaning, and tending to the very great predjudice of the weighty affairs with which we are intrusted from a whole kingdom, and having cleared ourselves and satisfied our brethren and friends, we had all that in this we desired. But as the printing of that paper had no warrant nor order from us, who have no power to command nor forbid the press; so was it far from our intentions either to give to his sacred Majesty the least cause of offence or to stir sedition, or make the smallest trouble in this Church and kingdom, to which we heartily wish all true peace and happiness, or to stretch out ourselves beyond our line and to prescribe or give rules for reformation whether in Church or policy which cannot be expected but from his Majesty's own royal considerations and the wisdom and justice of the represent tative body of the kingdom now sitting in Parliament, in whose affairs we desire to have no further hand but in so far as they may concern us and the peace betwixt the two kingdoms. What evils our religion had suffered by the Bishops of England from the long ex-

1640–41. perience of our Church ever since the time of our Reformation, we did in some measure express before in our charge against Canterbury. And what we have further in commission to propose for preventing the like evils afterward, and for settling of a firm and happy peace and nearer union betwixt the kingdoms, which is and shall be the chiefest of our desires, shall in its own place be remonstrate in such a way as may best give satisfaction and be furthest from all cause of offence. [½ *p.*]

March 1. 2. William, Earl of Newcastle, to Sir John Heydon, Lieutenant of the Ordnance. I am commanded by the Prince in his name to recommend the bearer, George Fisher, his Highness' gunmaker, to the place of under-keeper of the small guns, now void, which, as I am informed, is in your power, with some other principal officers, to dispose of. If you please to assist Fisher to obtain the place you will very much content his Highness. [*Seal with arms and coronet.* 1 *p.*]

March 1. Covent Garden. 3. Sir William Uvedale to Mathew Bradley. I have sent you 25,000*l.* by Goldsbury, and bills of payments made here for 1,101*l.* 5*s.* 3*d.* more. If you dislike the form of any [bills] send them back and they shall be amended as you dictate. This is only for payments made for the foot, those for the horse shall be sent by Harrison, whom I hope to despatch on Friday or Saturday next. [*Seal with crest.* 1 *p.*]

March 1. 4. List of Pensions paid out of the Court of Wards from December 17, 1640, to March 1, 1640–1, amounting to 2,225*l.* The Duke of Lennox, Viscount Conway, Sir Ben. Rudyard, and others are the pensioners. [¾ *p.*]

March 1. Office of Ordnance. 5. Certificate by the Officers of Ordnance of the powder received into and issued out of his Majesty's stores from Feb. 1 to March 1, 1640–1; and of the quantity now remaining in store in the Tower and at Portsmouth. Total in store, 248 lasts 17 cwt. 57 lbs.

March 2. 6. Notes by Nicholas of business to be submitted to the Council. To move the Lords that there may be a general order to the Master and Officers of the Ordnance to sell powder, to such as desire to buy it, at 12*d.* the pound, which is the King's price, to the end they may not be troubled to attend for particular warrants for every parcel of powder. There is a letter from the Mayor of Norwich about disorders in that city. There are also some petitions of a public nature, as one from the pikemakers, the petition of the Mayor and Burgesses of Leicester, the brewers of London, &c. The proclamation prepared touching Recusants. To consider of the letter that is yearly written to the Lord Mayor about Lent, the draught whereof is prepared. Whether there shall be a letter written for drawing out the trained bands on Shrove Tuesday. [¾ *p.*]

[1640–1.] March 2. 7. D. Spencer to Sec. Vane. Expresses his gratitude for his letter, which he would have acknowledged before, but was ill when it came. [*Seal with crest.* 1 *p.*]

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March $\frac{2}{12}$. 8. Sec. Windebank to his son, Thomas Windebank. Lord Ludovic giving me notice of an express going hence into England I would not let such an occasion pass without giving you account of my health, which I thank God continues as it has been hitherto since my being here. I have been this afternoon with the Cardinal [Richelieu] by the introduction of M. de Chavigny, and received very great civilities and professions from him. He brought me out of his chamber into the next, giving me the upper hand, and holding me by the hand. Mons. de Chavigny told me they are despatching the Ambassador De la Ferté Imbault for England, and that he is peremptorily to be gone hence within eight days. A sentence in cipher. Commend me to my son Turner and his wife, and God's blessing be on them and on the rest of the afflicted family. [1 *p.*]

March $\frac{2}{12}$. Paris. 9. Robert Reade to the same. Amongst the many great favours wherewith Lord Ludovic daily prosecutes us, I account this a principal one that he has furnished us with this opportunity of presenting you our service. Whether my fears of the success of our unhappy business on that side or of some disaster here be the greater I have not sense enough to judge, but I am sure both together mortify me very much. My chief comfort is, that God, who has preserved us hitherto, is still able to defend us and will in His good time deliver us from all dangers both foreign and domestic; and my confidence is the more increased the more I consider the justness of my uncle's cause and the innocency of his person. Meantime I must put you in mind again of what I proposed in my last, [*a sentence in cipher,*] as that which I am sure will give him a great deal of consolation and remove from his mind many most sad apprehensions which I hope are without much ground. This afternoon Mr. Secretary has seen the Cardinal [Richelieu] which he had not been able to do before; and now that compliment is past, I hope we shall be quiet hereafter as long as our misfortunes keep us here. [*Seal with arms and crest indistinct.* 1 *p.*]

March 2. Covent Garden. 10. Sir William Uvedale to Matthew Bradley. Yours of Feb. 26 has made me see the inconvenience of returning money by bills of exchange, and if I were off of these present engagements you should hear of this no more from me. By this return you shall receive a note how far I am engaged, which if you find ready for you at York you may put it into the hands of Henn or Miviett, but not to issue any of it till the rest of the money comes to make it up a full month's pay for all that are under their charge; which I hope to despatch thence on Friday or Saturday next by Harrison. Yesterday I despatched Goldsbury to Ripon with 25,000*l.* in cash, and with bills of exchange and money received there by you formerly to the sum of 1,101*l.* so you are to charge yourself with 26,101*l.* Some of the acquittances are not sent down by him because they were not come in, but I shall make them all good to you, before he can come to you, which will be about Friday week. This is intended for one month's pay for the foot and the train of artillery and other officers of my Lord General's train with you. I presume this will more than do that, but I am extremely desirous

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that the overplus of all moneys may rest in your hands. For the regiment at Hull, and the horse, I hope to send down money the latter end of this week, and if I can get it all in there will be more than will serve their turn, their account being but 14,000*l.* between them, and we are allowed for this month 45,000*l.* As for impressing moneys or delivering anything by way of lendings, you must take special care to issue none so, for the billiter—who is most concerned in this—will lose all, for the officer will never pay him anything. The payments made to Colonels Goring, Ogle, and the rest are all from December 8 to January 5, and by the payment of Goring here you are eased of that 100*l.* to Sir John Suckling. Mr. Hales' 10*l.* shall be paid here and returned on you by the next return of money by Harrison. My Lord General [Algernon Earl of Northumberland] intends to send down some orders touching the disposing of this month's pay, but he is yet so ill we cannot get them despatched; they shall be with you before your money. I hope we shall have more money very shortly, for we believe the City will lend the Parliament 100,000*l.* more speedily. P.S.—Note of the moneys promised to be returned. This letter to Captain Thos Barrymore is from Colonel Ashburnham, and concerns 16*l.* that he had of me over and above his pay here, to make it a just 100*l.*, which you must require of this captain. [3½ *pp.*]

March 2. 11. Bond of Sir Robert Mansell and Edward and William Carne in 500*l.* to Sir Thomas Puckering, dated July 2, 1635, the condition of the bond being that if Sir Robt. Mansell and Edward and William Carne or any of them pay to Sir Thos. Puckering 258*l.* 6*s.* 8*d.* on December 4 next ensuing the date within written, at the house of William Child, public notary, near the west end of St. Paul's, London, this obligation is to be void, otherwise to stand in full force. [*Latin and English copy.* ¾ *p.*] *Underwritten,*

11. 1. *This is a true copy of the bond of Sir Robert Mansell and others delivered into the Court of Chancery the 2nd of March* 1640, *according to a decree in that behalf, but with a note of direction whereby Mr. Sergeant Wightwick desired that before it be cancelled, the now Lord Keeper be made acquainted therewith, and that Mr. Sergeant Wightwick is preparing, by direction of those whom it concerns in point of trust, a petition to the House of Parliament against that decree. This was shown to John Hunt at his examination in Chancery on behalf of Sir Simon Archer and others, defendants, at the suit of Sir Robt. Mansell, complainant.* [Endorsed: *The copy of Sir Robert Mansell's bond to Sir Thos. Puckering and a note of the time when the said bond was delivered up according to a decree in Chancery.* ½ *p.*]

March 2. 12. An estimate by Justinian Povey, auditor. Particulars of the profits of the arbitrary fines of copyholders of the manors in his office, in cos. Huntingdon, Suffolk, Norfolk, Middlesex, and

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Essex. The estimate is taken on a medium of seven years, in which time the profits amount to 1,948*l.* 7*s.* 6½*d.* [2 *pp.*]

March 3. Commissioners for gunpowder to Mountjoy, Earl of Newport. For 30 barrels of gunpowder to be delivered to Edmond Beane, of Tower Street, London, ammunitioner, for furnishing ships and for sale in his shop. [*Minute. See vol. cccl v., No.* 61, *p.* 15. 4=*lines.*]

March 3. Hague. 13. Sir William Boswell to [Sec. Vane]. The bearer hereof, Mr. John Bouillon, known to you in part, has served me above eight years as secretary in his Majesty's affairs, with great fidelity, but now returning into England to betake himself wholly to the study of divinity, being master of arts of good standing in the University of Cambridge, and every way of so sufficient learning and commendable conversation, that he will be of good service and comfort in that profession, where he shall be preferred. Wherefore I beseech you to assist him in his humble request to his Majesty for some benefice or preferment in his own or the Lord Keeper's gift; wherein I presume the rather on his Majesty's royal disposition, because at my being last in England, he was graciously pleased by the mediation of your predecessor to recommend him for that behalf unto his Grace of Canterbury, who had taken him so far into his care that he was not only mindful of him, but would certainly have seen him provided for if these present troubles had not come upon him. [*Copy.* 1 *p.*]

March 3. 14. Petition of Paul Beal and Edward Hodgson to Francis Lord Cottington, Master of the Court of Wards. About ten days since John Gamble, gent., died seized of lands and hereditaments in co. York, leaving his son and heir within age; all or most of the lands being held of his Majesty in capite by knight's service or otherwise, and petitioners being appointed by the will of the ward's father to petition you for the wardship, the ward's mother being also dead. Pray for a writ to find the office, and after office found to be admitted to compound for the wardship and a lease of his Majesty's part of the lands during minority. *Underwritten,*

14. I. *Let petitioners have a writ or commission in the nature of a "Diem clausit extremum" to find the office, and let the office with a schedule and confession of the estate be returned the fourth sitting on compositions in Easter term next. Francis Cottington,* 3 *March* 1640–41. [*Copy.* 1 *p.*]

March 4. 15. Note of leases granted by her Majesty to William Crofts, one of her Majesty's servants. The leases comprise tenements and the manorial rights of Stapleford Abbots, Essex, with its appurtenances, and of Shimpling Park, Suffolk, with marginal notes by Sir John Lambe, the fees of three of the leases being 2*l.* each and one 26*s.* 8*d.* Then follows the note of a commission to John Hobart and others to take the answer of Susan Freeston, widow, to the information of her Majesty's Attorney General [Peter Ball]. [*Marginal note by Sir*

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John Lambe]: Commission 4*s.* 6*d.* [*Endorsed by the same:* "Sealed March 4, 1640[–1.]" 1¼ *pp.*]

March 4. 16. Bookseller's account of books supplied to a customer [probably Lord Conway]. Among others the titles of which are here given are new poems, plays, and histories. Ben Johnson's poems, 6*d.*; Beaumont's poems, 6*d.*; Shakspeare's poems, 1*s.*, &c. Sum total, 2*l.* 3*s.* 4*d.* *Underwitten,*

16. 1. "*Received upon this bill March* 4, 1640[–41] *for the use of Mr. Mosely, my master, by me, Nicholas Dixon,* 2*l.*" [2 *pp.*]

March 5. 17. Petition of Arthur Farewell, his Majesty's ward, to Francis Lord Cottington, Master of the Court of Wards. Petitioner being within six months of full age, and having, with the approbation of his friends, settled his affections on Mistress Ann Winyard, a gentlewoman of very good quality, and thought by his friends a match without disparagement; he requests you to allow thereof and give licence for petitioner to marry the said Mistress Winyard. *Underwritten,*

17. 1. "*Let an order be drawn up with licence for petitioner to marry as desired. Francis Cottington.*" 5 *March* 1640–1. [*Copy.* 1 *p.*]

March 5. York. 18. Sir John Conyers to [Edward Viscount Conway]. I send you a copy of my letter to his Excellency, as also of a request sent me from Tickhill, but the informations sent me by the justice of peace, Mr. Wivell, touching the disorder committed against him by Lord Carnarvon's troopers, I cannot get copied in time to send you, but you shall find them with Mr. Scowen if you have occasion to use them. I am so troubled with complaints from the country touching their necessities, and of the disorders of the troops, that I am very weary of this place; and they are like to increase daily and not diminish, therefore I beseech you send down the officers that can be spared there. Let me know whether you receive your money there or if I shall demand it here; if so, be pleased to let me know what sum to demand. I perceive by the relation of the passages in the Parliament that the Lord Lieutenant [of Ireland] has accused you, but wherein I hear not; I shall be in pain till I know. I shall within a few days trouble you with a letter to the king, for now I have not leisure to write it. My nephew Hume has now received the King's letter to the Prince of Orange, and his Majesty has caused M. de Henulief to recommend him likewise to the Prince. [1½ *p.*]

March $\frac{5}{15}$. Paris. 19 Robert Reade to his cousin Thomas Windebank. I am very glad to find by yours of Feb. 25 that all our letters are come safe to you, but because [*the name in cipher*] is confident his conveyance would be secure, if you have at any time letters from Oxford or others that may swell your packet too big, adventure them that way, as I purpose to do to you henceforward, such as are of no great consequence. My Lord Lieutenant [Thomas, Earl of Stratford]

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no doubt, is able to make the best of his cause, but I hear he discharges himself for the breach of the last Parliament upon the counsellors that sat in the Lower House. I beseech you inform yourself how far that will reflect on Mr. Secretary [Windebank] and give advice thereof, for he is no way guilty of it. We are not yet resolved upon a place for the country, the principal reason whereof is that Lord Ludovic has offered a gentleman's house which Mr. Secretary must see before he can take any resolution. But I believe we shall rather retire to some town where we may have provisions easily, otherwise we shall be very much incommodated. The weather is yet so cold we cannot go from this place, and I think my uncle would be contented to receive some answer to those of March the 1st before we stir hence. Meantime we live a very solitary life, and you know my uncle is not easily comforted, but rather gives himself over to his melancholy contemplations. Yet of late he has been somewhat more cheerful. I presented my service to you on the $\frac{2}{12}$ inst., by a servant of Lord Ludovic's despatched to the Duke [of Lennox]; if those letters be not come to your hands before this, enquire of him at my lord duke's, and be mindful of the suit I made to you as well in that as in my last week's, which may be the better done now that you have an opportunity to deliver a letter to his Grace from Mr. Secretary, which was sent you by him. I still wonder very much that you can find nothing of Mr. Pierce's money. I have charged Pharamond with it, and he confirms me in the opinion of his innocency, but he will send his own answer. I am still confident it was put into one of the other bags and that you will at some time find the mistake. However I do not know that you were obliged to pay it, although he brought a Privy Seal; at least it might have been put off very well till those that brought it could have given an account of it. Besides the gold was so light I do not think the whole seven score amounted in true value to above 100*l.*, and if you have paid it according to the number of pounds, you have done yourselves further injury. Mr. Aubert, finding this lodging very inconvenient for him, his businesses lying at the other end of the town, is resolved shortly to leave us, and lodge with a kinsman of his near his employments. This letter contains some passages in cipher. [2 *pp.*]

March 5. 20. Sir John Conyers to [Algernon, Earl of Northumberland]. I received yours of the 24th ult., and of the 2nd instant. And since mine to your Excellency touching the trooper of Lord Conway, I have received notice from Capt. Harvey, who commands the regiment, as also from Capt. Burgh, that the cor[oner's in]quest had passed upon him, and had found it Cha[rles] Medley; but because I had written that information should be taken of the fact, and that he should be [sent] up hither, they detained him still prisoner; [he] should have been released upon bail acc[ording] to custom. Now this morning up[on receipt] of your commands therein, [I notified] to them to put the business into the hands of a justice of peace, and let him take his bail or c[ommit] him to the gaol to be tried there, which he p[leased]. This morning I also received the

1640–41. infor[mations] taken by the justices of the peace in Pickering Lyth wapentake touching the business of the troopers of the Earl of Carnarvon's troop, and shall give an answer to Roger Wyvell according to the order I have now received from you, yet notwithstanding, I send herewith his letters with copies of the informations taken of that fact. This morning I have likewise received [news] of a trooper of Capt. Palmes' troop, who [killed] another of the troop, and he is apprehended. I have given order he shall be brought hither and committed [to] gaol according to the directions I received from you touching him of Lord Conway's troop. You put us in hopes of monies; I wish they were come, for the country is very weary of us, and most unwilling to receive any that are constrained to change quarters. I wrote to you long since how unwilling those of Rotherham were to receive Capt. Pinchbeck and his troop, and till this hour do refuse him any accomodation. He has pressed me many times to give him another quarter, but I have refused to do it, lest all others should follow their example, and think by ill usage to be released from the troops; but have now some few days past been constrained to enlarge his quarter, else his horses must have starved, so I [ad]ded to that quarter of Rotherham the towns of Bramley, Hainworth, Attercliffe, Arnall [Darnall], and Maltby. It seems his quartermaster going to view those parts, the townsmen of Tickhill, being not far from thence, took the alarm and sent me this petition. Be pleased to peruse it, at least the end of it, for they are upon high terms if all the rest should say the like, as perchance they will upon their example. I shall in that case desire an order from you what is fittest to be done, and methinks it were good that the parliament were made acquainted with it, and that some course were by them settled for lodging the army, for lodged they must be so long as they are in being. Cornet Torringham has been earnest with me for leave to be absent from the troop; I have refused him, because there is no other officer to the troop, yet he pretends very ur[gent] occasions. Your Excellency will be pleased to take it into consideration. It were good the Advocate of the Council of War were sent down, for here is use of him, though we cannot do justice according to the rigour of the laws of the Council of War. [*Damaged by mice.* 2¼ *pp.*]

March 6. 21. Orders of the House of Commons. That of the money to come from the City, the members of this House, or others, the first 25,000*l.* shall be for relief of the northern counties, and the next 10,000*l.* for relief of the King's army. [*Printed in Commons' Journal*, iv. 97. ½ *p.*]

March 6. Elvesto [Elstow]. 22. Robert Lovett to [Sir John Lambe]. On Monday last I rode into Bucks and Herts, where my wife has a jointure, which now is questioned in the House of Commons, and part of the mounds and fences thrown down, which is no small trouble to us. Last night I came to Elstow, but so very sick I am unfit to travel, else I would have waited on you with all expedition, had it been ten times as far to London. In answer to yours of Feb. 24th, I am

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not so much as known to the Earl of Bath, and to my best remembrance there is a difference between the Earl and Sir Robert Lovett, concerning a lease in the town of Tavistock [Devon] near my Lord's dwelling-house. Nevertheless I have sent a messenger purposely to Sir Robert with a copy of your letter, and one from myself earnestly desiring him, in your behalf, to procure some good friends of his acquaintance to mediate with the Earl of Bath, as the Earl of Carnarvon, who is now at Wing hard by Sir Robert's, as also to request his father, the Earl of Pembroke, and the Earl of Dorset for your better accommodation herein, which I heartily wish may take effect to your own desire; and I am confident Sir Robert Lovett will be very ready to tender you his best service in this or any other occasion. The noble persons of affinity and most intimate with the Earl of Bath are his uncle, the Earl Marshal [Thos. Earl of Arundel and Surrey], and the Lord Maltravers, and also the Earl of Westmoreland and that family, whose sister he married. You write that you remember a suit I earnestly solicited against a doctor in the Earl of Bath's country; upon my life there was never any such thing, neither had I ever anything to do for any man whatever in any judicature of the civil law only for Doctor Downe who owes you all he has for standing his best friend in so just a cause; the Earl of Bath and the Doctor are and have been good friends. God granting health, and our Bedford Assizes past, where I have two trials, I will wait on you in London with all possible speed. [1 *p.*]

March 7. 23. Proposition of the Elector Palatine Charles Louis to the King. His Majesty having lately declared that amongst other reasons the interest of his royal sister and nephews was not of least consideration to induce him to entertain the intended alliance of marriage for his eldest daughter; and that he will not conclude the said alliance but conjointly with the treaty of state: and to this end the Lords Commissioners appointed by his Majesty for that treaty having desired a particular of the Prince Elector Palatine's demands, they are presented here. 1. That it would please his Majesty, in the preamble of the foresaid treaty of confederation with the States of the United Provinces, a declaration might be inserted, that one of the principal ends aimed at by his Majesty is the resettlement of public liberty, oppressed in Germany, and especially of the Prince Elector Palatine and his house in all their possessions, rights, and dignities. 2. That there may be an express article to comprehend the entire restitution of the Elector Palatine and his house in any their general or particular treaties either of peace or alliance. 3. That whenever his Majesty shall vindicate by arms the foresaid rights of the Elector Palatine and his house, or his Highness shall be enabled by his Majesty or other friends to raise any troops of his own to be employed in or out of the Empire in behalf of the foresaid cause; the States shall be obliged for the furtherance thereof to join with his Highness and assist him with such reasonable aids in men or money as shall be agreed on in the foresaid treaty. 4. That the States shall

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countenance his Highness' proceedings not only by permitting him to furnish his troops with arms, victuals, cannon, and all necessary material of war, without enjoining his Highness to pay the tolls, excises, or other impositions of the country; but also by granting him free passage by land or water, and for that need furnishing him with shipping or waggons at the same rate as is paid by the States for their army. 5. That they will let his Highness have some town upon their frontier for a place of arms, and suffer him under their protection to seek good quarters in all neutral and neighbouring countries, and afford him a safe retreat on all occasions. 6. That they shall not take into their protection any enemies' persons, countries, or places on which his Highness can have advantage by way of reprisal or otherwise. 7. That if his Majesty shall happily resolve to enter into war with the King of Spain, then the States shall be likewise bound to break neutrality with the Emperor, the Duke of Bavaria, and all their adherents or whoever else shall oppose the restitution of the Electoral Palatine House or the public peace. [*Endorsed by Sec. Vane:* "His Electoral Highness' proposition to his Majesty of the 7th of March 1640[-1]." 1½ *pp.*]

March 8. 24. Petition of Thomas, Earl of Down, his Majesty's ward, to Francis Lord Cottington, Master of the Court of Wards. Petitioner petitioned you and the rest of the Council of the Court of Wards for license to fell 2,000*l.* worth of timber on his lands in Kent and Oxon. for his maintenance during his minority; and last September you directed a commission to Sir Robert Jenkinson, and four others named, and to the feodary of Oxon., by advice of some skilful workmen, to view the wood and value it at the best price, and to certify the number and price, as by the annexed order appears. Accordingly the feodary of Oxon. and Edward Parrott have viewed the timber growing on the manors of Walcott, Northleigh, and Coggs, co. Oxon., and do certify the trees growing there to be 10,000, and their value to be 6,335*l.* 13*s.* 8*d.* Now in regard petitioner is destitute of means, and that the season for felling timber grows on, he prays speedy order to the said Commissioners or any two or more of them to fell so much of the timber as may be best spared to the value of 2,000*l.* for petitioner's support. *Underwritten,*

24. I. *Order by Lord Cottington for a commission as is desired,* 8 *March,* 1640-1. [*Copy.* 1 *p.*]

March 8. 25. Petition of Sir Henry Worseley, late his Majesty's ward, to the same. Thos. Fletcher and Richard Heyward procured a writ of Mandamus in Dorset, and by colour of it, 7 January, 1635-6, procured tenure in capite to be found of petitioner's manor of Lanceston, Dorset, and the 8th of February following, without petitioner's privity, procured the decree of this Court *ex officio* to cast up the rates of petitioner's land lost within age not compounded for at 300*l.* per annum, which for twelve years, the time of petitioner's minority, amount to 3,900*l.* [*sic*] whereas by several grants made of those lands by petitioner's father and other ancestors, some yet in

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being, the yearly rent of those lands only amounted to 144*l.* 14*s.* 2*d.* during the minority, as appears by affidavit recorded in this Court, June 29, 1639. And although petitioner, 17 February 1635–6, put in his bill of traverse to that office, and long since served both prosecutors with the process of this Court to answer the bill, and obtained divers orders to that purpose, and has put in sufficient security to perform the order of the Court upon the hearing, yet he has been crossed with other orders, and could never get answer to his bill of traverse. And in Michaelmas term, 13 Car., prosecutors exhibited an information against petitioner supposing a tenure in capite in all petitioner's lands, consisting of about 50 several parcels, wherein the jurors on a *Melius inquirendum* were directed to find a tenure in capite of petitioner's manor of Shalfleet, in the Isle of Wight; and by colour thereof have procured the process of this Court for levying 3,900*l.* upon the rates cast up upon the office of 11 Car., no rates as yet being cast up upon the tenure found by *Melius inquirendum*, and have levied 619*l.* 13*s.* 4*d.* and intend to levy the whole, to the ruin of petitioner, whereupon he moved the Court and made appear that the rent of the lands for which the said rates were cast up were only 144*l.* 14*s.* 2*d.*, and in July last you ordered that petitioner should be charged with no more but after the rate of 144*s.* 14*s.* 2*d.* till the prosecutor should make a better yearly value appear, which he has not and cannot do. Thereupon in the end of Michaelmas term last you ordered that Mr. Surveyor should be attended to instal the rates upon the livery to be sued after the death of petitioner's father; but in regard the said decree stands in force, Mr. Auditor cannot cast up the rates at 144*l.* 14*s.* 2*d.* according to the order. Wherefore may it please you to direct, that as the prosecutors refuse to answer petitioner's bill of traverse unto the office found in Dorset, 7 Jan. 1635–6, the decree thereupon made for rating petitioner's land not compounded for at 300*l.* per annum may be reversed and made void, and that the auditor of this Court may cast up the total of the rates lost within age at the rate of 144*l.* 14*s.* 2*d.* per annum and that petitioner may be admitted to a reasonable composition for the same at the first sitting upon compositions next term. And in regard petitioner's attendance as a burgess for the town of Newport in the Isle of Wight is required during the Parliament, that process may be stayed in the meantime. *Underwritten,*

25. 1. "*In regard it is out of term I may not give order that the decree be vacated, but let it be moved at the first sitting upon compositions next term, and then the court will order the decree ex officio to be made void; and the auditor shall have direction to cast up the rates lost within age at* 144*l.* 14*s.* 2*d. per annum as is desired, for so it was intended by the order of July* 2 *last, and then petitioner may compound, as is also desired. Meantime as petitioner has privilege of Parliament let all process be stayed for levying any more of the mean rates. Francis Cottington,* 8 *March,* 1640–1. [*Copy.* 1 *p.*]

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March 9. 26. Algernon, Earl of Northumberland, Lord General, to Sir Jacob Astley, Major-General of the army. Instructions for the better discharge of a muster of the army to be taken by direction of the Parliament, and for taking special care that the country be truly satisfied for a month's billet, and that those inhabitants be first paid who gave first credit. [1⅓ *pp.*]

March 9. Covent Garden. 27. Sir William Uvedale to Matthew Bradley. I would speedily hear from you what you do about the return of the moneys that I have given you a list of, so that I may dispose of what I have here accordingly. For what concerns yourself, take no more thought, for either my Lord General [the Earl of Northumberland] shall do it one way or other, and so rest satisfied. Last night I received this note from Mr. Scoven, by which you may see how this month's pay, now to be paid, is to be paid to Captain Crofts and Captain Porter. Take care it be so ordered, and that when you come to make your payments you take into your hands Captain Porter's pay. This day we have concluded in the Parliament for one month's cessation more, which we all hope will be the last. I desire to know on what day our English reformadoes were paid, for it will concern us here, there being already allowed to the Scots' reformadoes the eleven days they were paid after December 8. [*Copy.* 1½ *pp.*]

March 10. York. 28. Sir John Conyers to [Edward Viscount Conway.] According to your directions I am bold to trouble you with this inclosed to his Majesty. The duplicate I likewise send you. If you find anything amiss in it, I beseech you correct it and return it to me again, and I will a[lter it]. Perchance you will think it not fitting to make mention of the great charge I have been at, but it is notwithstanding so, for I can make it appear that the jour[ney] itself for myself and my wife, with the charge of preparing ourselves for it, has cost us and lessened our stock at least 1,000*l.*, which to me is a great sum. Besides this to the King, I send you copies of one letter from the Earl of Northumberland and three from Sec. Windebank. In all those from him, and many more I received from him, he assures me the government of Berwick and my companies of horse and foot there were for my life; and he has divers times told me he never wrote letter to me but the King saw it before it was dispatched. I hope his Majesty will be favourable to me; if he be not, I am indeed undone. Mr Wilmott has been long at Court, and has [ended] his business as I hear. If you think fit, I should be glad that my leave might be granted me that I might come to solicit my business there myself, for I know you have enough to do there of your own in these troublesome times. I hear Sir Foulke Huncks is returned to his quarter but has not yet come hither. [*Damaged by mice.* 1¼ *p.*] *Enclosed,*

28. 1. *Petition of Sir John Conyers to the King. The dissolving of the garrison of Berwick being rumoured here makes me presume to present these lines to you, beseeching you to take notice, that I having served abroad from my youth*

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and for the most part in Holland had been a long time possessed there of an honourable and profitable charge, when by your express command I was called to your service here, and constrained to quit that and all other hopes my long service there might justly pretend to a better. The several letters I received by your order from one of your Principal Secretaries of State did assure me of a company of foot, a company of horse, and the government of Berwick for my life, beside the promise made by my Lord of Northumberland (likewise by your command) for this temporal charge I possess here in the army. Now if the garrison of Berwick should by your order be withdrawn, and I who have qui[tted] so good a fortune, and have been at such an excessive charge to transport myself and my family from beyond the seas into this your kingdom, and so [to] Berwick to do you service, should by that means be disappointed of those entertainments which you were pleased to assure me, I were utterly ruined. Therefore I most humbly beseech you to take my estate into consideration, and to continue your favour to me. From York 10 *March.* [1⅓ *p.*]

March 10. Queen's College, Oxford. 29. Tho. Smith to [Edward Nicholas]. I deferred answering your letter because, the quarter drawing towards an end, I was desirous to give you some account of your son [John's] expenses. There was 5*l.* 6*s.* 8*d.* disbursed for him while your brother [Dr. Matthew Nicholas] stayed here, and he had a note from me of how it was disposed. At his going away he left 5*l.* more in my hands, which I have laid out for your son's use, as you may perceive from the bill of particulars I enclose. What the rest of his expenses will be for this quarter I cannot certainly say, as the quarter is not yet out; but I suppose 7*l.* more will be the utmost. I desire you would be pleased to send 10*l.*; the overplus may remain in my hands, to be disbursed next quarter as his occasional necessities shall require. This being his first quarter, you will not blame him if his expenses be somewhat extraordinary; I doubt not you will find them moderate for the future. In his carriage he has been very civil and studious: much acquaintance he had at his first coming, but by studying in my chamber, and through his own exceeding great care and desire to avoid them, he has not suffered any harm from them, neither, I hope, shall do. He keeps very close to his book, and is already fit for disputations; this week I purpose to send him in amongst them. He was commended to my care by one to whom I owe my utmost endeavours, Vice-Chancellor [Dr. Frewen]; who himself keeps a very watchful eye over him. P.S.—If you send the money by our Oxford carrier do not seal it up in your letter, for then he takes no charge of it, and it may miscarry; but let the sum be delivered to him, and he will be answerable for it. [*Seal with crest.* 1 *p.*] *Enclosed,*

29 I. *The above-mentioned bill of the items of the expenditure of*

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the 5l. for John Nicholas, received of Dr. Nicholas 22 Jan. 1640–1. [1 *p.*]

March 10. 30. Some propositions touching the divine right of Bishops. Whether in case the word "episcopus" be an apostolical word, and denote a different office from that of presbyter, the Scripture can from thence be understood to impose a political order of men under the notion of bishops upon the civil government. Whether it be by divine right that certain mean born and low fellows must needs come from cleaning shoes, or the like servile offices, to take place of the best gentry and most of the nobility in the land. Whether the apostolical word "bishop" implies that such a bishop must needs be a great lord of lands. Whether the King, Lords, and Commons by an express act be not competent judges whether there shall be any such political order of men so landed and so setting themselves upon their punctilios before their betters. Whether it be fit for the Kings, Lords, and Commons to agree unto the bishops. [$\frac{3}{4}$ *p.*]

March 11. 31. Accounts of Thomas Waite, the King's Receiver for cos. Warwick and Leicester, for the year ending 26th March 1640–1; signed by Lord Treasurer Juxon. Receipts 7,029*l.* 16*s.* 8$\frac{3}{4}$*d.*; expenditure 2,707*l.* 12*s.* 8$\frac{3}{4}$*d.*: balance 4,322*l.* 4*s.* [1 *p.*]

March 11. 32. Another copy of the above, endorsed by Sir John Lambe. [1 *p.*]

March $\frac{1}{2}\frac{2}{2}$. Paris. 33. Robert Read to his cousin, Thomas Windebank. By a little note of your hand, in a letter addressed to Mr. Secretary for another, we find you have written, but your letters have miscarried. Ill interpretations we can make enough of this, but none good. The best we can imagine is that the party who should have sent them forgot to put them up; I pray God it be no worse. You will easily judge what a distraction this is to us, since upon those letters we hoped to have grounded as well some judgment of the success of our unfortunate businesses there, as also a resolution how to order ourselves here. Till the next post I shall be in great pain; so I am sure of one week's trouble extraordinary. My uncle was resolved to retire to the place proposed by the party mentioned in my last presently after Easter, thinking it fit to receive the communion at my Lord Ambassador's [Robert Earl of Leicester] before his going. What alteration this failing of letters will cause I know not, but we are left in great uncertainty by it. Our trunk was here ere I was aware, the speediness of the passage of this having made reparation for the tardiness of the last. The businesses of England are said here to be in a miserable condition. I hope there is not so much cause for it. P.S.—The fault of the miscarriage of your letters must be on that side, for if they had been put up we could not have failed of them; therefore, I beseech, you inquire earnestly about it. I hope it is but an error of forgetfulness. P.S.—My Lord Ambassador has this instant sent a gentleman to Mr. Secretary to let him know that he received in the packet from Mr. Treasurer [Vane] this week a packet directed to Sir Arthur Hopton [English Ambassador to

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Spain] which he finds strange, and believes it was put up instead of yours. If it should be so, I fear yours is sent into Spain. I beseech you speak with Mr. Treasurer about it, and see if you can clear it, for certainly there is some great mistake in it. [*Seal with arms and crest.* 2½ *pp.*]

March 12. York. 34. Sir John Conyers to Algernon Earl of Northumberland. I have received yours of the 9th inst., with the inclosed copies of the orders from Parliament touching the musters, as also of yours to Sir Jacob Astley, and I shall do my endeavour to see all things done according to your command and the intention of the Parliament. Lord Carnarvon's regiment is removed into Pickering-Lyth Wapentake, all but Sir John Bartlett's troop, who yet remain in their old quarters, the lieutenant having told me that his captain was by you ordained to be major to Mr. Wilmott. And even now I received a letter from Sir John Bartlett to that purpose, who desires his troop may be removed to Mr. Wilmott's regiment, which without your order I would not venture to do; and also what other troop shall take that place in the Earl of Carnarvon's regiment. The troops of Richmond are removed into that part of the East Riding betwixt Holderness and Pickering-Lyth and Capt. Polewheele's troop also come almost as far, the foot being possessed of all that other part of the country. I fain would have continued those three troops near the Tees, and Capt. Polewheele's, in particular, near Stockton; but I found the foot officers so unreasonable in their quarters that I was constrained to remove them, as I have said, which will be very inconvenient, especially for convoys, whereof I have at this instant received yours of the 10th, which gives me order for a convoy for the Scottish monies. I will to-morrow send an order to the troop lodged at Doncaster to do it, and [they] must do it alone to Croftbridge, the rest of the troops being too far from that road; and how they will do for money to feed them on their journey, which will be at least for six or eight days, I yet know not. I have written to Justice Wyvell, according to your directions, but have not since heard from him. Even now the 25,000*l.* sent for the army is come into the town. [1¾ *pp.*]

March 13. 35. Sir John Lambe to [William Lenthall] the Speaker of the House of Commons. I acknowledge myself much bound to the House of Commons for their justice in acquitting me of the contempt, [*see* Commons' Journal, ii. 97]. I presume now to intreat your further favour to set an end for the fees demanded, either by your order or mediation. I am willing to pay some fees, if none were due and though I was not in contempt; but 20*l.* 17*s.* 4*d.* demanded in the Sergeant's note enclosed I think is not due, nor fit for me to pay. What that House or yourself shall appoint I will perform. [*Endorsed by Sir John Lambe,* "Copy of my letter to Mr. Speaker, 13 March 1641, about the Sergeant's fees, 20*l.* 17*s.* 4*d.*" ⅓ *p.*]

March 15. Westminster. 36. Marriage contract between Prince William, son of Henry Frederic Prince of Orange, and the Princess Mary of Great Britain. The preamble recites that the match had long been sought both by

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the States-General and England, and gives the names of the Lords Ambassadors, Ordinary and Extraordinary, sent over by the States-General to complete the marriage treaty, and of the English Lords Commissioners appointed to treat with them. The terms of the treaty are as follows:—1. First it is agreed that the marriage between the Princess Mary, eldest daughter of his Majesty of Great Britain, and Prince William, son of his Highness of Orange, shall take place in England in their own persons in good and lawful form, after the said Prince shall have arrived in England, but the transport of the Princess to the Low Countries shall not take place before she has reached the age of 12 years. 2. The Princess shall then be brought to Holland as soon as possible, and shall be conducted at his Majesty's expense as far as Rotterdam, where she shall be consigned to those whom his Highness shall appoint for the purpose; and from Rotterdam to her place of residence the Princess' expenses shall be defrayed by his Highness, the whole being done on both sides suitably to the dignity of a Princess of the House of Great Britain. 3. The dowery of the Princess shall be 40,000*l.* sterling, payable in two years after the celebration of the marriage in Amsterdam, Holland, that is to say, in equal portions every six months. 4. The jointure of the Princess shall be worth 10,000*l.* sterling per annum in good lands assigned to her, and two houses well and duely furnished, of which one shall be at The Hague, and the other on the jointure lands; and the said sum shall be paid to the Princess in equal instalments every three months. 5. His Highness of Orange before the marriage is celebrated shall consign the jointure lands into the hands of the Commissioners of his Majesty, for the better assurance of the annual payment of the said sum of 10,000*l.* sterling during the life of the Princess. 6. 1,500*l.* sterling shall be paid yearly to the Princess in equal instalments every three months, for her private purse, besides her table, dress, and wages of her officers and other servants. 7. The Princess shall have all her English servants that she will take to Holland chosen by his Majesty; and when they die, or the Princess wishes to change any, she shall be able to take other English servants, provided that his Majesty consents to it, and that the servants shall not exceed 26 men, as well officers as others, and 14 women, ladies, maids of honour, and others; 40 persons in all. 8. Touching the exercise of religion, it has been agreed that it shall be permitted to the Princess to keep the exercise of divine service for herself and her household according to the order and custom of the English Church. 9. If the Prince of Orange decease before the Princess without children from their marriage, the portions of the dowery which she shall have taken with her, or which shall have been paid, shall be restored to her in full to dispose of as she likes, whether she return to England or remain in Holland. 10. But if there are children from the marriage, the restitution shall be only of half that dowery, whether the Princess return to England or live in Holland; and on the other half belonging to the children, five per cent. interest shall be paid her during her life. 11. If the Princess die before the young Prince

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of Orange, without children from the marriage, the King of Great Britain consents that half the dowery shall be alone restored; and if there be children, all the portions of that half shall remain to the young Prince of Orange; but the children shall not be married without his Majesty's consent, or the knowledge and advice of his successors; and the Princess having no sons, the daughters shall have doweries in accordance with the dignity of their birth, besides their share of all other property belonging to their mother. 12. The children of the marriage shall inherit, even after the death of the Princess, the half of the said dowery which shall have been restored, if the Princess have not married again and had children by the second marriage, as well as the first, in which case all the children shall have a share of the said half repaid to the Princess. 13. If the young Prince of Orange die first, having children or no, the Princess shall freely enjoy, in whatever place she likes to live, the jointure which shall be assigned her in lands, castles, and houses which depend on them, of which two shall be such that she can live there always, fittingly furnished; the free disposal of the benefices and offices of the lands, of which one shall have the title of Duchy or County, to belong to the Princess. 14. The Princess shall be free, whether she have children or no, to return to England with her furniture, baggage, jewels, and paraphernalia, besides her dowery as is specified above. This contract was passed and concluded at the Palace of Westminster, March 15, 1640[-1]. [*French.* 6 *pp.*]

March 15. 37. Another copy of the same contract. [7 *pp.*] *Subjoined,*

37. I. *Commission of the King to Bishop Juxon of London, the Marquis of Hamilton, Thomas Earl of Arundel and Surrey, Philip Earl of Pembroke, Edward Earl of Dorset, Henry Earl of Holland, and Sec. Vane to treat with the Ambassadors from Holland concerning the marriage of his daughter, with the young Prince of Orange. Westminster, January* 7, 1640-1. [*Copy. French.* 3 *pp.*]

37. II. *Commission of the States-General of the Low Countries to Jehan de Brederode, François d'Aerssens, Jehan Vanden Kirkhoven, dit Polyander, and Albert Joachimi to go as Ambassadors to England to treat concerning the same marriage. The Hague, December* 19, 1640. [*Copy. French.* 3 *pp.*]

March 15. Westminster. 38. The King's warrant to the English Lords Commissioners to sign the above marriage contract. [*Copy.* 1¼ *pp.*]

March 15. 39. Abstract of the above treaty of marriage in English. [7 *pp.*]

March 15. 40. Abstract of the same, comparing the different articles with the corresponding articles in the following marriage treaties:—Elector Palatine and Princess Elizabeth of England, 1612; Louis XIII. and Anne d'Austriche, 1612; Henry IV. and Mary de Medicis, 1600; Prince of Wales [Chas. I.] and the Infanta, 1623; Monsieur and

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Mademoiselle Montpensier, 1626; Charles I. and Henrietta Maria, 1625; Louis XIV. and Mary d'Austriche, 1659; Monsieur and the Lady Henrietta, 1660; his Majesty [Chas. II.] and the Queen, 1660; Duke of York and the Archduchess Inspruck, 1672. [*The date of this document is evidently after* 1672, *but it is chiefly of interest for* 1640–1. *It is endorsed:* "Marriage treaty between the late Prince of Orange and the Princess Royal, as it differs and agrees with several other marriage treaties," *and was probably drawn up by Sir Joseph Williamson, Secretary of State in the time of Chas. II.* 16 *pp.* 5 *blank.*]

March 15. Covent Garden. 41. Sir William Uvedale to Matthew Bradley. I have sent down to York by Harrison 11,000*l.*, which is all I can get for this present. I suppose it will pay those payments [regiments?] at York one month, with the moneys already returned there and payments that are made here to some of the officers of the horse. I have left it to you to distribute betwixt Miviett and Henn, and if it will more than pay their month take the rest of it under your charge. There is more money to come in from the City, but you shall hear of that. I hope this that has been sent by Goldsbury and Harrison will make up a full month's pay for the army both horse and foot and the train of artillery; if not you may supply it by the moneys by you, which I will return on the first opportunity. [*Seal with crest.* 1 *p.*]

March 15. Covent Garden. 42. The same to the same. I have received yours by this last post, and find you have received both mine. I sent Lankford not so much for staying the money sent by Goldsbury at York as to take your advice about the moneys that were paid here; but I perceive you had not met before you wrote. For the money issued here I am for the most part commanded to do it, as you may find by the warrants; the other I am forced to by importunities, and civil courtesies which I am as unable to withstand. By Lankford I presume I shall receive your counsel what is best to be done in such cases. Yesterday I despatched 11,000*l.* by Harrison, who promised to be at York Wednesday week or the morrow after by noon at farthest. This with the moneys from thence returned makes 13,880*l.*; this is all that is sent down in ready cash and moneys returned from York. The money paid here to the officers of the horse amounts to 571*l.* 8*s.*, making up the sum to 14,451*l.* 8*s.*, which is more than I have yet received by 600*l.*, for I want this to discharge the bills of exchange now returned on me; but I expect that and more every day. This 14,451*l.* will pay the horse and the regiment at Hull, and there will be a surplus to help you pay the other regiments, the officers general of the field, and train of artillery. I must desire you to be at York on Thursday week to distribute there the money that Harrison brings thither to Miviett and Henn. Take notice that Colonel Merick is to be paid here by order and Sir Christopher Abdy by licence from my Lord General. These two, added to those I formerly sent, are all that are to be paid here. [3 *pp.*]

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March 15. Burdrop. 43. William Calley to Richard Harvey. Discusses private matters. I am glad the brawn sent Mr. Porter proved so good, but especially that it was so well accepted. If I might have the charge against the Earl of Strafford and his defence as good cheap, as the book of Statutes of this Parliament now sent me, and though it were a little dearer than I suppose that will be, I could be very well content. By it I might inform my judgment that now against my will must begin to look into the world. We had need pray for the good success of this Parliament, all things considered. Let me entreat you to acquaint me as news offers, and whether Mr. Bond be of the Parliament House, or Francis Andrews has yet got employment. [*Seal with arms.* 1 *p.*]

March 15. Brussels. 44. George Shawe to the same. I know you love to do good, and I formerly wrote to you to cause Sarah to send her poor husband Matthew to Mr. Taylor, in my name, and he will entertain him; but since I have spoken to the master equerry, who is Captain Onata, he speaks English and was a captain of Sir William Tresham's, and Matthew knows him. He will prefer him to the Marquis [Hamilton], so that he shall have 18*d.* a day and two new liveries, but he must be sure to attend to find him as soon as the Marquis comes. [1 *p.*]

March 16. 45. The Scottish Commissioners Report delivered to the English Lords Commissioners to be presented to the Parliament. Of more than 80,000*l.* appointed for relief of the northern counties only 18,000*l.* has been paid, and the country and the Scottish army are reduced to great straits. They pray this may be represented to the Parliament, that the arrears may be paid as soon as may be, and also that the time and manner of payment of the 300,000*l.* granted towards relief of the Scots may be determined, and the treaty accelerated; that peace being concluded England may be eased of the burden of two armies, and the Scots may return home. [*Printed in the Lords' Journal,* iv. 187, *where it is signed by Adam Blaier.*] *Underwritten,*

45. I. *A note of moneys paid to the English and Scotch armies, and what will be due in April next, total* 428,000*l.*, *from which deduct* 360,000*l.*, *the estimated produce of the six subsidies, and there remains* 68,000*l.*, *to be provided.* [*Copy.* 1½ *p.*]

March 16. Commissioners for Gunpowder to Mountjoy Earl of Newport. For 30 barrels of gunpowder to be delivered to Thomas Frere of London, ammunitioner for furnishing ships and for sale in his shop. [*Minute. See vol. cccIv., No.* 61, *p.* 15. 4 *lines.*]

March 16. London. 46. Louis Mareschal to [Sec. Vane]. Has invented a machine for enabling armies to cross rivers. It only requires six horses and five men, who can be used as pioneers, to manage it; and a river as broad as the Thames at Richmond can be crossed by its use by an army of 4,000 foot in three hours, by 200 cavalry, or by four cannon, in the same time. Each machine only costs 60*l.* or 80*l.*, and will last a long time. [*French.* 1 *p.*]

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March 16. Whitehall. Henry Earl of Holland, Chief Justice and Justice-in-Eyre of the forests on this side Trent, to the officers and ministers of Windsor Forest, co. Berks. I have thought fit for the reasons here stated to licence John Burt, of Woking, co. Surrey, to erect a dwelling-house upon certain copyhold lands of his inheritance in the parish of Woking, and within Brookwood Walk in Windsor Forest, so that the same be set near to the barn which adjoins the highway. [*Copy. See vol. cccl.xxxiv., p.* 112=1½ *p.*]

March 16. Whitehall. The same to the same. You are to take notice that I have thought fit to licence and permit Sir Richard Harrison and his tenants to cut and take turf and peat upon his own soil in the parishes of Finchampstead, Wingfield, and Wittingham, within the forest of Windsor, so that the same be cut in fit quantities and in convenient places. [*Copy. See ibid., p.* 114=1¼ *p.*]

March 18. Whitehall. 47. The King to Lord Keeper Littleton, Lord Treasurer Juxon, Henry Earl of Holland, High Steward of the Queen's revenue, Edward Earl of Dorset, and the rest of the Commissioners of the Queen's revenue, or to any three or more of them. We heretofore promised to bestow on our dearest consort the Queen the full benefit of the fines for offences by encroachments, deafforestations, or improvements of our forest of Pickering, with our park therein called Blansby Park and the disparking thereof, and all our forest or chase of Knaresborough, with their rights and appurtenances in co. York, being or reputed parcel of our Duchy of Lancaster; and have given several commands to our officers in that behalf. But finding nothing has been done therein for the service of our dearest consort, and being fully resolved to accomplish our promise to her, and that she shall no longer suffer by neglect or delay of any our officers: These are to command and authorise you to take it into your care, and give order for searches of any records and surveys to be made touching the premises, and for the perfect discovery of the several meets and bounds of the same and of all rights and profits thereto belonging; and that the courts of attachment, swainmote, and justice seat may in due form of law be holden, and for the enquiry and punishment of all offences in the premisses against the laws and assize of forest: and to direct our Attorney and Solicitor General, and Attorney of our Duchy of Lancaster to prepare such warrants for our signature, directed to the Lord Treasurer, Chancellor of our Exchequer, and Chancellor of our Duchy of Lancaster, and such commissions to be passed under our great seal and seal of our said Duchy or either of them, as to you shall seem meet to be issued, as well for the enquiry and punishment of all offences in the premisses against the laws or liberties of forest or park, as for discovery of the bounds, improving, inclosing and settling of any part of the premisses, in our name but for the sole benefit of our consort, by composition with the pretended owners or by suit in any of our courts of justice as you shall think meet: And further to direct our Attorney and Solicitor General and the Attorney of our Duchy of Lancaster to prepare such bills, grants, pardons, or other as-

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surances of any part of the premisses to our consort or any others as she shall direct or you in your judgments think meet; whereby our dearest consort may reap the full benefit of the premisses. And we will and command our Lord Keeper, High Treasurer, Chancellor of our Exchequer, Chancellor of our Duchy of Lancaster, and our Attorney and Solicitor General, and all our other ministers whom it may concern, to observe and obey this our command, and all such warrants and directions as you shall think fit to give in the premisses for the best advantage of our consort in all things. [*Signed but not sealed. Damaged by damp.* 1 *p.*]

March 18. 48. Copy of the above. [=2 *pp.*]

March 18. Walbrook Ward. 49. Indenture between Edmund Wright, Lord Mayor, Sir Nicholas Raynton and Sir Henry Garway, Aldermen of London, his Majesty's Commissioners for the taxation, levying, and gathering of the two first subsidies, of four entire subsidies, granted by the temporalty by Act of Parliament, on the one part, and Thomas Briggs and John Hawkins, petty collectors of the two first subsidies in the ward of Walbrook, on the other part. Specifying the names of the inhabitants of the ward, their valuation, and the amounts at which they are assessed. The same to be collected by the petty collectors, who are to have 1*d.* commission for every 1*l.* they pay to William Gilly and Edward Claxton, the high collectors of the two first subsidies within Walbrook Ward. [*Endorsed:* "A true copy of the taxes levied [in Walbrook Ward] upon the two first subsidies granted in the year 1640; 271*l.* 14*s.* 8*d.*" 2 *pp.*]

March 19. Original votes of Parliament at the Grand Committee for Courts of Justice. This day the cause between Edward Vaughan, esq., plaintiff, against Lord Powis, Sir John Bridgman, Marmaduke Lloyd, and others, defendants, came to hearing in the Commons House at the Grand Committee for Courts of Justice, the counsel for Mr. Vaughan being present, but none attending for Lord Powis. Resolved upon the question. That the Court of the Marches of Wales has done injustice and illegality in their proceedings against Mr. Vaughan in this cause. That the Court of Star Chamber has delayed and done injustice and grievance to Mr. Vaughan in this cause. That the Court of Wards has done an act of injustice and grievance in denying of the Monstrant de droit in this cause, as also in the dismission of Mr. Edward Vaughan's bill with costs in that court preferred by him against Sir John Bridgman and others. That upon the whole matter Mr. Vaughan ought to be relieved and restored to the possession of those lands in the cos. of Merioneth and Denbigh, and be admitted to his traverse for the rest, and ought to have reparation made to him for his damages herein. [*Copy.* 1¼ *p. See Dom. Interreg. No.* 126 *G., p.* 103.]

March $\frac{1}{2}\frac{9}{9}$. Paris. 50. Robert Reade to his cousin, Thos. Windebank. Yours of the 4th and 11th inst. have brought me double comfort, which was no more than I needed after such a vacation. I perceive my fears of the miscarriage of the first were not altogether vain, since

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they were so near a danger, their redemption from which was a great work, and shows a great deal of goodness in the friends you mention, and I am willing to take it for a sign the Parliament owes us not so ill a talent as was feared. The answer of their Majesties is very gracious, and has much revived Mr. Secretary, and I am confident your endeavours will not rest till they have produced some good effect. It will not be long ere we go into the country, the place yet resolved on is within seven leagues of Paris; it is very private and solitary, which is not the worse for our condition, but I fear it will be somewhat inconvenient for provisions. My uncle will willingly give you a letter of attorney, but you must get one prepared there by some versed in those businesses. I could make one that perhaps might serve in any ordinary case, but in these times men are subject to cavil, and therefore it were fit it were well done. I am sorry the trunk which stood in my chamber at Whitehall was delivered away, for there were many good things in it which I had gathered together, and such as had no relation to the State. I am glad to find the Lord Lieutenant did Mr. Secretary so much right, I assure you, if he had gone further he had wronged him. I very much wonder Lord Ludovic's man should be so long on the way, considering how good the weather has been, I hope you have heard of him ere this. I cannot but wonder the House should be scandalized at the style you gave my uncle, since I am sure it is not in the power of any to take that title from him but the King; and his Majesty having not yet done it, I know not but why he should enjoy it till his Majesty dispose of the place otherwise. Mr. Weckherlin and Mr. Witherings have sufficiently shown their malicious barbarousness; God reward them for it. Mr. Russell, after some hopes given us of his recovery, died last Wednesday night. He is much lamented here, and I am sure will be more in England. P.S.—We have at last received the letters you mention to have been sent by another hand. Mr. Secretary would needs have me draw a letter of attorney, which you shall receive herewith. I pray God it may serve the turn. [This letter contains also many sentences in cipher. *Seal with arms.* 2 *pp.*]

March 20. Whitehall. Order of Council upon the differences between Sir Peter Wyche, late Ambassador at Constantinople, and the Turkey Company. The Turkey Company demand accompt of Sir Peter Wyche for the consulage of strangers, which Sir Peter claims to hold by his Majesty's mere gift under his sign manual. Adjudged that the consulage of strangers' goods brought in English ships to the Grand Seignior's dominions belonged to the Crown, and that the said Sir Peter Wyche and the Turkey Company should severally return a true accompt of the consulage in each year, and by whom received; that thereupon his Majesty may declare his further pleasure therein. And that concerning the question about the salary of Sir Peter Wyche and allowance for his return home, Sir Paul Pindar and Sir Thos. Rowe report what they severally received for the like service, whereupon the Board will give such further order as shall be found expedient. As for other matters, either party shall appoint one

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alderman, not being a member of the Company, to adjust their differences, or else to report in writing the true state of the case to the Board. [*See Levant Company, vol. i., No.* 99.]

March 20. Westminster. 51. The Lords Commissioners for levying the two first subsidies to Edward Viscount Conway. These are to let you understand that the first two entire subsidies due by you, according to a grant made by Parliament begun November 3, 1640, amount to 32*l.*, according to the rate you are assessed at. Thomas Paramore, who is appointed collector of the same, will be ready at his dwelling in Bridges Street, Covent Garden, from time to time to receive it accordingly. We will you to order some of your servants to see it paid him before the 31st of this present March, whereby payment may be made to the treasurers especially appointed by the said Act of Parliament to receive the same. [*Seal with crest.* 1 *p.*]

March 20. York. 52. [The Officers of the army to Algernon Earl of Northumberland, Lord General.] We are extremely sorry to trouble your Excellency with more complaints, but this grievance so much concerns us in honour that we must beseech you to receive it, and in behalf of your poor servants to represent it to the House of Parliament. For their opinion of our number and their distrust of our integrity in our musters, we presume the course they now take will suddenly show them how reports have abused and injured us. But first we complain, as gentlemen, that by the long neglect of sending our pay we have been forced, contrary to our dispositions and the qualities of our former lives, to oppress a poor country, and live upon the courtesy and at the discretion of strangers, which both they and we are weary of. Next, as we are soldiers, the season puts us in mind of drawing into the field, and the Scotch army has already moved in part, though under pretence of enlarging their quarter; yet jealousy in our profession is no species of fear, but wisdom; and though we want neither courage nor will to oppose them if they advance, but rather desire to seek them out, yet the long want of pay has so distracted both officer and soldier, that for that reason only we are very unable to march, and worse to subsist long in the field. And that which chiefly discontents us is that our former petitions have neither found credit nor brought remedy to our sufferings. We are very sensible that the honour of our nation was unfortunately foiled in the first part of this action, but we hope so to manage what is left that, if the perverse endeavours of some do not cross our future proceedings, we shall not deserve the world's blame or reproach; and we are confident of that, if that Assembly comply with our endeavours, to restore to the English army their former height of glory. And because we well know that the proper administration of justice has been the mother of the exactest discipline and most prosperous success in all armies, we shall willingly and humbly embrace the pleasure of the Parliament, either to add to or take from the Articles we have sworn to observe; but upon serious and mature deliberation we find and must conclude that a commixture of judges with us, inexperienced and not practised in

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our way and profession, must produce great inconvenience to the service, and may breed a division, which is the ruin of all government. For these and many other reasons we beseech the Parliament to prevent these endeavours to impose such innovations upon us as must necessarily deprive us of the chief privileges and rights of our commands. [*Copy.* 1 *p.*]

March 21. Tilbury Hope. 53. Sir John Penington to Nicholas. I desire you will lay up this cabinet safe for me till I call or send for it; but if God should take me away before, you are to deliver it to my brother Josias Penington, or my nephew Thomas Penington, of Chigwell, Essex. P.S.—If you can get the 40*l.* of Sir Frederick Cornwallis, I pray keep it by you. [*Seal with arms.* $\frac{2}{3}$ *p.*]

March 22. 54. Warrant issued at the Committee for preparation of the charge against William Laud, Archbishop of Canterbury. By virtue of an order from the said Committee these are to require you [Archbishop Laud] to bring before the Committee all books of accounts or other notes in writing which have been made by you, or any of your servants in the last 13 years, of the names and number of all books seized by you or them within that time as forfeited goods, and in the mean time to give the bearer hereof, Thos. Cowper, liberty to peruse and copy such parts of the same as he shall conceive may be useful to him in manifesting his interest in the books mentioned in his petition. And the Clerk of the House of Commons is hereby likewise required to let Cowper view the books now in his custody in presence of some of his Majesty's printers. March 22, 1640–1. [*Copy.* $\frac{3}{4}$ *p.*] *Annexed,*

54. I. *Petition of Thomas Cowper to the House of Commons. There were imported a few years since* 850 *bibles,* 2,000 *prayer books and* 750 *psalm books of the orthodox translation, printed beyond the sea, being petitioner's goods, which were seized at the Custom House, London, whence they were brought by order of the High Commission and put into the Registrar's custody, where they yet remain, being worth more than* 200*l. Petitioner being so deprived of the greater part of his estate, and no use being made of the books, supplicated his Grace of Canterbury for restitution, who last August directed petitioner's attendance at the High Commission, with promise of a favourable order: and, being petitioned again this Parliament, he referred petitioner to Sir John Lambe, and any other two of the Commissioners, who, being thereupon attended, declared that this Assembly would determine the cause. So petitioner, having used all means that counsel can advise, is yet remediless, and without the aid of this House his books are like to be utterly lost. Prays that by order of this House and at his charge all the books in custody of Mr. Latham, the said Registrar, may be brought into a room near the Parliament House, which petitioner has hired for the purpose; and that this House will grant an order*

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that petitioner may bring all the books from the Registrar, for preservation of his estate therein, and that petitioner may have one key, and some officers of this Honourable Court another. [*Endorsed :* "Tho. Cowper's first petition to the Parliament." *Copy.* 1 *p.*]

54. II. *Petition of Thos. Cowper and eight others to the same. The art of printing has been and is a great help to the furthering of God's true religion, the renown of both Universities, and the salvation of souls both in this kingdom and all the world. By this mystery the happy enjoyment of the Holy Bible and all other good books has been and is, through God's mercy, a great blessing to this kingdom. A few years since, and especially since the last Star Chamber decree, through the printers' desire of gain, and to the great prejudice of the Commonwealth, they have raised the prices of bibles to double what they could be very well afforded for, and have monopolised divers patents, and on the strength thereof raised all sorts of books, as therein included. And the parties who pretend to be the King's printers, and to have an interest in these bibles, are monopolizers of the patent, being booksellers, enhancing the prices as they please. By order of this Assembly petitioner has brought a magazine of bibles and other books into safe custody in an adjacent place, being the goods of petitioner and others, which the Printers have seized and taken away from them, and have also seized many thousand books of the same sort, which remain in custody of the Stationers ; which we pray may by order of this House be brought where the other bibles now are. The premisses considered, may it please this Assembly that the said bibles may be kept safe where they now are, and that petitioners and the printers may have a time appointed for the hearing of their cause. Underwritten, petitioners' signatures.* [*Endorsed :* "Cowper's second petition." *Copy.* 1 *p.*]

[March 22 ?] 55. John Pym's speech to the House of Lords after the reading of the articles of impeachment against the Earl of Strafford brought up from the Lower House. [*This copy, which contains the first half of the speech only, is headed :* "Mr. Pym's second speech, being the charge of the Commons against the Earl of Strafford." *Printed in Cooke's speeches in Parliament, ed.* 1641, *p.* 206. 3 *pp.*]

March 22. 56. List of noblemen and gentlemen presented by Sir William Fleetwood as security. *Underwritten,*

56. I. "*Let the security of the persons above mentioned be taken, together with his own, as hath been accustomed. Francis Cottington.*" [¾ *p.*]

March 23. Covent Garden. 57. Sir William Uvedale to Matthew Bradley. I approve very well of your advice both in yours of the 19th inst., and by Lankford, that you shall have notice of all money paid here weekly that you

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may order your course accordingly ; so I send you now a note of all money paid and lent here, with this assurance that I will lend no more here, nor pay anything hereafter, unless they bring me my Lord General's warrant. For the moneys paid here to the officers of the horse I have sent you down both the warrants and their acquittances. Part of them are paid by warrant from my Lord General and part is lent money from me. If you think good, deliver them to Miviett and Henn, and charge them with so much more ; otherwise return them to me ; but certainly I believe the lent moneys must be charged on them. I am very glad your musters fall out so that you may be at York next Thursday to distribute those moneys to the paymasters there. Let me have a note of your musters as soon as you can, and what you compute the charge of the army will amount to monthly according to these musters. For the next month's pay, I can only say that the Parliament is endeavouring to get money for it as fast as they can, and hope to end the business for the armies next month, April. But my opinion is it will not be done so soon, but they must add one month more to it ; and they are resolved to pay the army all that is due to them, and to allow them conduct money to carry them home. Therefore I think you may boldly venture to advance to your friends what you think good. For my own part, I am resolved to come into the north before or at the time of cashiering the army, and if I can get but two months' pay at any time, I will come with it myself. I know it concerns me very much to see how things stand with me there, for Lankford has acquainted me with some frowardness in Leech which I like not ; and therefore I must look about me. I was persuaded by some former letters of yours that all the King's moneys had been in your hands, but by this you talk of but a small sum, which makes me fear the most part of it is in Leech's hands, which I like not. Satisfy me in this by your next. For the train of artillery, touching which I have received also a letter from Captain Legg, I have showed my Lord General their demands, but have yet received no resolution from him, and therefore I think you resolve upon a very good way, to pay his ordinaries a full month, 1,213*l.* 16*s.*, and to let him have 1,000*l.* on his extraordinaries by warrant of Sir Jacob Ashley ; and this must satisfy him till matters are otherwise resolved here by my Lo. General, or rather, perhaps, till we have more money there to be able to pay it. For I fear your money will fall short, and to help you as much as I can I have sent you a bill of exchange for 300*l.* It is money of Mr. Potter's, my Lord General's secretary. I expect more money daily to make the sum I have received 45,000*l.*, which is allowed as one month's pay for the army ; and I should be glad as soon as I have received it to return the greatest part of it, for it is too little to send by a conductor. Here is a letter brought from the officers of the army [*see* March 20, No. 52] by Captain Chidly. It makes a noise amongst us that the army were near a mutiny, or would rise and march ; but we are so busy about the trial of my Lord Strafford we think of nothing else ; otherwise, perhaps, this letter would have quickened our endeavours for money.—P.S. This

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note from Mistress Brockett is for money delivered her by Maine at Wickham upon a letter of her husband's to me. Receive it for me, and keep it till we meet, for it is not paid out of the army moneys. [¼ *pp.*]

March 23. April 2. Paris. 58. Robert Reade to his cousin, Thomas Windebank. The bearer of this is Mr. Maxwell, brother to the Earl of Nithsdale. Mr. Maxwell has much obliged Mr. Secretary by his civilities in these parts, which I beseech you acknowledge to him. Christmas and Easter have been very melancholy feasts to us, and I can hope no better of Whitsuntide; but I will not despair of keeping holidays one day with more contentment. To-day Mr. Secretary purposes to speak with Lord Ludovic, and then to settle a resolution for the country, which I hope I shall be able to give you by the next ordinary. Mr. Russell's body remains embalmed in my Lord Ambassador's chapel till order comes from his father how to dispose of it. [*Seal with crest.* 1 *p.*]

March 24. The Court at Whitehall. 59. The King to the Clerk of the Council now attending. Our will and command is that you forthwith deliver to William Raylton, for the Earl of Strafford, the original Answer to the Remonstrance presented to us by the Committee of our Commons of Ireland, which is signed by Sir George Ratcliffe, and was avowed by the said Earl to be likewise his answer to the Remonstrance. [*Signed.* ⅔ *p.*]

March 24. 60. Draft of the above by Nicholas. *Dorso,* Note of 31*l.* 10*s.* received of Nicholas Blake, 3 April 1641, for rent due at Lady-day last; and of other rents due. [⅓ *p.*]

March 24. 61. John Pomeroy to Robert Squibb. I have not been able to meet with Sir Popham Southcott since I received the enclosed bond from your brother Arthur. Pray speedily convey this safely to your brother that he may speak with him himself. *Endorsed:* "Reasons for a new trial, 24 March 1640." [⅔ *p.*] *Encloses,*

61. I. *Reasons to move for a new trial* [*in the suit between William Shaw, plaintiff, and Robert and Lawrence Squibb, defendants*]. 1. *That the declaration was not delivered to defendants till after Easter term, so last term was the first term after the declaration was received, and no answer by course of the Court.* 2. *The plaintiff altered his declaration and changed his damages several times, and therefore the defendants ought not to have pleaded.* 3. *Defendants for want of sufficient warning were circumvented in their trial, and had not time to procure their witnesses to make defence.* 4. *By affidavit it appears the plaintiff was committed to the Fleet for words spoken against the Council, and not at the instance of defendants, as was urged and maintained at the trial, and for which cause so great damages were given. For these reasons move for a new trial; defendants are content to pay costs. Dorso,*

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61. II. *Draft of a bond of William Shaw, discharging R[obert] S[quibb] his heirs and assigns from all actions or cause of actions or suits against him from the beginning of the world to this present day.* [1¼ *pp.*]

March 24. 62. The Honourable Mrs. Endymion Porter's dressmaker's bill from January to March 24, 1640–1, amounting to 9*l.* 17*s.* 6*d.* [1½ *pp.*]

1641. March 25. April 5[4?] Paris. 63. Pharamond Uldrik to [Thomas Windebank]. When my master acquainted me with two letters of yours, mentioning my supposed fraudulent dealing in Mr. Peirce's money, positively confirmed by you with many circumstances, I found it somewhat beyond my expectation to be suspected of things I never saw or handled; and therefore I most humbly crave pardon for not answering with so much respect and restraint as my duty required, and I ever owe to your merits and quality. Since you renovate with a letter your wonted favours towards me, I send you many humble thanks for your better opinion of me, and shall ever most cheerfully embrace all occasions tending to the furtherance of your service and the good of your most noble house. I promise also since I enjoy the happiness to serve Mr. Secretary, your father, to shew my zeal during his absence from you by proving a faithful servant and true follower of any of his fortunes. I cannot recall any further particular in Mr. Peirce's business but what I set down already; only I must add that in this, as in all other businesses, you have carried yourself so noble and careful that I can be a witness, if the money is lost, the fault is not yours, since I remember very well you told me once at Whitehall you had not seen that money then—when I made instance to you for my friend Mr. Peirce—but that you would look for it. I humbly thank Mistress Anne for her good remembrance in collecting my debts. I would fain my debtors might deliver it to her, since I shall need some, as I know not how long our exile shall last; but I am loth to trouble such a noble patroness about such a business unfit for her to meddle with, and more convenient for Mr. Palin, to whom I wrote once already. His best respects to the family. P.S. —By your leave I wrote out a copy of the enclosed, spread abroad by foreign ministers of state. If you can make use of my service here in Paris add this favour to your others bestowed on me, to command me absolutely. [*Seal with arms and crest.* 2 *pp.*]

March 25. 64. Certificate of Sir John Lambe, chancellor of the Queen's Council. That in the lease of Methold [Norfolk] brought to be sealed 24 March 1640[–1], under Mr. Attorney Ball's hand, I find the date erased and made 27 March 1641, which causes me to stay it and to desire to speak with Mr. Tompkins or to know Mr. Attorney's opinion herein. *Underwritten,*

64. I. "*The lease must be dated before Lady-day, March* 23 *or* 24, 1640[–1], *else it will not begin till Lady-day,* 1642, *and, a year's rent be lost. The lease which I signed being drawn according to the warrant which was to begin from*

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this Lady Day, 25th March 1640[–1]. *Peter Ball.*" [*Endorsed, "A mistake in Bailie's lease of Methold mended, 25th March* 1641." ⅔ *p.*]

March 25. 65. Certificate of Robert Watson, deputy commissary of the army. By virtue of a warrant from Sir Jacob Astley we have mustered a waggoner, waggon, and three horses, betwixt Dr. Alcorne, chaplain, and John Honyborne, surgeon, to the regiment under Sir John Merrick. [⅓ *p.*]

March 25. 66. Brief of the last musters taken under date. Total number of the army officers and soldiers, 16,952; besides 426 dead and runaway soldiers not included in the former number, making in all 17,378. The decrease since the last muster, made 28th January 1640–1, is 42. [*Damaged.* ¾ *p.*]

[March 25.] 67. A schedule of the Recusants in the south of England who are in arrear with the King's rent by composition and otherwise, specifying their names, the lands for which they are assessed, and the amounts due for their recusancy up to date. Total arrears of rent upon compositions 1,204*l.* 16*s.* 9¾*d.* [5½ *pp.*]

[March 25.] 68. Certificate by Robert Long of all sums paid to the Receiver of the Recusants' revenue for the southern parts of England by any sheriffs of the counties on this side Trent for each year since the third year of his Majesty's reign. Total, 4,083*l.* 0*s.* 4½*d.* [1 *p.*]

[March 25.] 69. Return by Mr. Pulford of the number of convictions of Recusants since 1 Car. in each of the 29 counties in the southern division of England. Total number of persons convicted, 11,970. For the 12 Welsh counties the convictions remain in the custody of the Prothonotaries of Wales, who, by order from the Commissioners, were to return them into the Exchequer six months ago, but yet they are not come in. [1 *p.*]

March 26. 70. "An index of the remanent heads intended in the eighth demand [of the Scots' Commissioners] for the establishing of a firm and durable peace, our desires concerning unity in religion and conformity of church government as a special means for preserving peace betwixt both kingdoms." That some Scotchmen of respect, who are intrusted by their kingdom, may be in places about the King and Queen and Prince. His Majesty may be pleased to consider how much it is for his honour and the satisfaction of his subjects of both kingdoms that none be in place about his Majesty and the Prince but such as profess the reformed religion. Concerning the manner of choosing Council and Session in the kingdom of Scotland, naturalization, declaring the capacity and mutual privileges of the subjects of both kingdoms. Concerning customs both in the King's dominions and foreign parts. Concerning freedom of trade, intercourses, and privileges thereof. Concerning manufactures and associations both by sea and land. Concerning the equality and course of coin in his Majesty's dominions. Concerning fishing. That an

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Act of oblivion may be made of all bygone deeds betwixt the kingdoms of Scotland, England, and Ireland, since the beginning of the late troubles. That an Act of Parliament may be made for ratifying and establishing this present treaty and all the articles thereof, and appointing the means of a firm and perfect peace in time coming. That none of his Majesty's dominions shall take arms or invade others without the consent of the Parliament of that kingdom, and after declared breach of peace. No stopping of trade or taking of ships or any acts of hostility to be used, and that the contraveners shall be pursued as enemies to the State. That neither of the two nations engage in war with any foreign nation without mutual consent of both. That they mutually assist each other against all foreign invasions. Concerning the remanding of offenders in either of the kingdoms. Concerning executing decrees and sentences in either nation upon authentic extracts without production of the principal warrants about the late Borders and Middle Marshes. That the peace to be now established may be inviolably observed in all times to come. Trial would be taken in the Triennial Parliaments of both kingdoms of all wrongs, if any should be done by either nation to other, that the difference may be removed; and some commissioners will be appointed from both kingdoms for conserving the peace in the interval betwixt the Parliaments. [2 *pp.*] *Subjoined,*

70. 1. *The answer* [*of the English Lords Commissioners to the above*]. *That your proposition, as it concerns a conformity of Church government in both kingdoms, is that which were to be wished; but the alterations or innovations of that which is settled by the laws of each kingdom are dangerous. The government of the Church of England is established by the laws and statutes of this kingdom. That both the Houses of Parliament have now in consideration all things conducing to the settling and peace of the Church of England, and will therein do what in their wisdoms they shall think fit. Although you may be commanded by those that sent you to make the proposition, yet for ambassadors of any foreign princes—much less for commissioners his Majesty's subjects—to insist on anything that is destructive to the Government established by the laws of the kingdom, or to accompany their propositions with discourses and arguments in prejudice of the settled government, is both unusual and unfit. Therefore his Majesty expects that, according to your many professions and that which is contained in your own paper, you will not intermeddle with the reformation here in England, but leave the care thereof to the King and kingdom; as likewise that you should not publish any discourses by which the subjects of this kingdom should be stirred up against its established laws, but that you should acquiesce with this answer.* [*Endorsed by Nicholas:* "Index of the head of the eighth demand of the Scots'

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Commissioners, and the answer thereto. 26th March 1641." *In the Lords' Journal, iv.* 216, *we read, "The Scots Commissioners' paper for conserving of peace betwixt both kingdoms, dated* 1*st April* 1641, *and the Lords Commissioners' answer thereto, were read this day,* 14*th April* 1641." *Copy.* 1 *p.*]

March 26. April 5. Paris. 71. Robert Reade to his cousin [Thomas Windebank]. I thank you for yours of March 18, which is so full of goodness I find it very quickening to my dull senses. Our letters come so well by this hand it were pity to change it, for we are sure to receive them on Wednesday night, whereas those which come by other addresses are never delivered till Thursday noon, and many times not till Friday, the day the post hence departs. I forgot to tell you I presented my service to you March $\frac{12}{22}$ by Lord Vaux's servant, which I hope is ere this come to you. I did the like last Tuesday by Mr. Maxwell, who I believe will be long on the way, for I hear since that he makes not so much haste as he then pretended. Some sentences in cipher. I am sorry the Duke of Vendôme is in our house, though we have no more to do with it; I fear this State will be jealous that it is done with Mr. Secretary's consent. If the Queen's Roman Catholic servants be discharged, what will become of poor Mr. Church? I am very much troubled for him. I make account the Lord Lieutenant [of Ireland] is by this time a man or nothing; God send good news of him next week. It was never believed here that the Queen would come; if she do they are much deceived. I now expect that Mr. Montague should not be long hence. We hear the marriage [of the Princess Mary] is concluded in England; they say not much more of it here than "Jesu, Marie la fille d'une fille de France!" It is confidently written hither in a letter I have seen that the new Lord Keeper [Littleton] is dead, but I give little credit to it because I find it not in any of yours. P.S.—I have been hitherto so unfortunate in my pretensions at Court that I should scarce dare to adventure any more, but it might happen that, if it be necessary to displace the Queen's Roman Catholic servants, some place may fall within the compass of my ambitions near her Majesty; although for the present I can think of none but Sir Maurice Drummond's, and whether it be fit for me to pretend to that I know not. Give me your advice in this, by which I shall be governed, and, if you think fit, speak with Mr. Porter and Mr. Jermyn about it. I fear into the King's service I am not like to be admitted,—I mean into any place within my way of the pen,—and therefore my hopes must be by her Majesty, to whom I hope I shall not be unacceptable. If you can think of any other way let me know your opinion. I know nothing to the contrary but that we shall retire into the country Monday seven-night, but I hope we shall so order the business that our correspondence will not be interrupted by it, since the place is so near, especially if you send still by the hand you do now. [3 *pp.*]

March 28. 72. Sir John Lambe to [Bishop Williams of Lincoln]. If by your favour I might obtain it, I much desire leave to go into the country

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for recovery of my health. If it had not been for Dr. Walker's cause [*see Lords' Journal,* iv. 183], I had been gone long since before Smart's cause came up [*see ib., p.* 193], wherein I hope there can be nothing against me, but this bill of the officers for three days, 16*l.* 10*s.* I had waited on your Lordship if my health would have suffered me. [*Endorsed by Lambe:* "Letter to my Lord of Linc[oln] for leave, &c., and that the officers had in Smart's cause of me 16*l.* 10*s.*" *Draft.* ¼ *p.*]

March 28. 73. Daniel O'Neale to Sir John Conyers. I hear of no such thing as reducing the armies, unless it be to nothing, nor do I see how they can do that, for I do not find the Parliament has credit or present money equal to the sum that must make us clear at parting; yet I must give you this encouragement that I believe we will not be cashiered in their debt. I was deceived in my opinion of the Lord Lieutenant [of Ireland's] trial, for I find by the proceedings he will hold out these fourteen days yet, which will get another month's cessation, so that at soonest the last of May must be our doomsday. Colonel Fielding and others have written hither that the Scots advance into Yorkshire; in your next let me have all your intelligence concerning them and your opinion of their proceedings. Neither my Lord of Northumberland nor Lord Conway have yet given back their commissions, and I hear of none that are fit named for their places. I wrote to you by the last post concerning an Irish-man that was in York prison for killing his comrade, that you would not suffer him to be tried by the common course of law, till his Majesty were resolved whether he would have his army governed by martial law or no. If you have a letter of mine to that effect, let me know in your next what is done in it. P.S.—I have made me a new cornet; his commission bears date from December 8, therefore if my old cornet be come thither let him not have any pay from that time. [*Seal with device.* 1 *p.*]

March 29. London. 74. John Earl of Rothes, Charles Earl of Dunfermline, John Earl of Loudoun, and others, to Sec. Vane. This bearer James Farquhar is he whom we recommended, he had his barques laden with salmon taken, being under the conduct of one of his Majesty's ships. The particular information receive from himself, whose losses we entreat you take into your consideration and grant him your best assistance. [*Endorsed by Nicholas:* "Received 30 March 1641; Earl Rothes and others to Mr. Treasurer about ships taken by the Dunkirkers." 1 *p.*]

March 29. Covent Garden. 75. Sir William Uvedale to Matthew Bradley. You have very discreetly ordered the moneys sent down by Harrison, for with the former moneys they have received and the warrants and acquittances I have sent down they will have a full month's pay with some overplus. I desire by your next, if you have leisure for it, to receive a note how all the money sent down for this last month's pay stands charged upon Leech, Miviett, and Henn, and for your own if you think good, that I may see what proportion of money has been sent

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in ready cash, and what has been returned by bills of exchange or otherwise by warrants. I expect the rest of the 50,000*l.* to come in daily, which was ordered by the Parliament for the full month's pay for the army and garrisons, part of which I desire to return to you, or if you think better, and you can go through this month's pay without it, to stay it till the next month's pay comes in, which we expect very suddenly, and so to send it away together. I remember now very well that one of your former letters delivers that 4,000*l.* of the King's money, besides what was on the foot of your own account, did remain in your hands, and therefore you must excuse my ill memory. I would not have any money lie in any other hands than yours. Your letter makes me apprehend some danger if the Scots should advance, but I hope you will have time to retreat with the money. Besides I have some cause to suspect a mutiny in our own army by a letter sent up thence by our officers to my Lord General. I think you cannot disburse it by way of impress to the regiments, by reason the billeter must be paid. For returning some part of it hither, and so to let it lie here, some part of it may be done that way; but I desire time to consider this till next week, when you shall hear further from me. I would not have you acquaint Sir Jacob Ashley with any of these moneys, but if any of the Parliament money remains after your month's pay is disbursed, let him know of it. For Lieutenant Colonel Ballard, I know not whether he intend this present month's pay that is now disbursing or that which is to come, but you may assure him I shall fulfil what you direct in it. You may remember two warrants were granted by Sir Jacob Ashley to Lord Grandison, one for fourteen days' pay, ending November 10, as colonel of a brigade, the other for one month's pay as colonel and captain from November 10 till December 8; these two had their acquittances drawn by you, and I have paid them both: how you will advise me to return them I shall leave to you, because they are both warrants of Sir Jacob Ashley's. Our General is on the point of delivering up his commission by reason of his infirm health; who shall succeed him I am not able to tell you as yet; this is a secret, and I pray so keep it. P.S.—I enclose a warrant for one month's pay paid to my Lord Lisle [L'Isle] by my Lord General's command; I pray deliver it to Miviett and charge it upon him with the moneys now sent for this month's pay. I do it because he may make his entries accordingly; and besides it is the only warrant in my hands for the payment for the horse. [4 *pp.*]

March 29. 76. Petition of Thomas Leggatt and Elizabeth his wife, grandmother of Edmund Bray, his Majesty's ward, to Francis Lord Cottington, Master of the Court of Wards. Sir Giles Bray died five days since, seized of divers lands held of his Majesty in chief by knight's service in co. Oxon and elsewhere, leaving Edmund Bray, his grandchild and next heir, within age and in ward to his Majesty. The ward is but five years old and extremely afflicted with the King's-evil in 15 parts of his body, and thereby so weakened that by judgment of the ablest physicians he is not like to continue without special assistance and care, as appears by Sir Giles Bray's own

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letter annexed. Martha, the ward's mother, survived Reynald Bray, his father, and was sole daughter and heir to petitioner Elizabeth and Peter Humble, her former husband, from whom a greater and clearer estate of inheritance comes to the ward than by the father. Petitioner Elizabeth, being his grandmother, and he the sole issue of her and her former husband, is in nature more specially obligated to the care and preservation of him than the grandmother of the other side, who has her own children living, and whose advancement comes by the ward's death; for which reasons, and for that she is nearest of kin within his Majesty's instructions, and to whom the lands descended from Sir Giles Bray cannot come, and that Lady Bray is so infirm by sickness that she is not able to take that care which petitioner has done and is still able to do, petitioners pray that for the protection of the poor diseased infant they may be committees of his body and lessees of the lands, and that you will grant them his Majesty's writ to inquire after the death of the said Sir Giles Bray. *Underwritten,*

76. 1. "*There is a writ already issued for finding the office, to be returned the sixth sitting day upon compositions in Easter term next, when the petitioners may attend as competitors. Francis Cottington.*" [1 *p.*]

March 29. Burdrop. 77. William Calley to Richard Harvey. Has received the rundlet of sack, and paid his mother 10*l.* out of the 70*l.* he sent in new gold. I had need pray for the prosperity of my friends, for there have not been wanting those that have courted me but in harsh language to my apprehension, saying they were most ready to serve me, and if I did not accept a good offer I was to blame, because my friends began now to decline in their power. My answer was I hoped I should not be destitute, and so it ended. As soon as the rings are made send me two of them for my father Bower and my cousin Nicholas, and then I shall by the sight of them acquaint you whether they like me or not. [*Seal with arms.* 1 *p.*]

March 30. 78. The most humble declaration of John Pulford, your Majesty's servant, to the king; touching his proceedings as special agent for advancing your revenue arising from the forfeitures and compositions with Recusants in the southern parts of this kingdom; and the oppositions which prevented his effecting the service, which he conceives, both in discharge of his duty, and the trust reposed in him, he ought to present to your Majesty. The 19th of January in the 14th year of your reign [1639] you conferred the said employment on me. February 28 following, divers of your commissioners at my request, and for the better enabling me to proceed in the service, signed letters, which I presented to them ready written, directed to the justices of peace in all the counties for convicting all Recusants; but about two or three days after one of the commissioners advertised me it was your pleasure those letters should not be sent, which I obeyed. The 11th of July after I sent commissions into 10 counties for inquiries to be made of the estates of Recusants already convicted, but presently after letters were sent to the sheriffs of

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those counties requiring them to stay all proceedings upon the commissions till your Majesty's pleasure were further known, upon sight whereof the commissioners desisted, whereby I lost 114*l.* I had disbursed to substitutes and messengers to defray the charge of executing the said commissions. And albeit, in October following, letters were sent to the sheriffs for proceedings to be had upon those commissions, yet from the aforesaid stay the service was so disparaged, and the commissioners so discouraged, that they have since neglected to execute the like commissions, and some sheriffs have neglected to provide juries for returning inquisitions of Recusants' estates. [*Marginal notes by the King:* "The reason of both these stays of proceedings was because the Papists should not be diverted from their contribution which they were then making for me."] In February following [1640], I acquainted your commissioners here with the stay of the said commissions and backwardness of the commissioners in the country in proceeding in the like service, and entreated them to sign letters once again to the justices of peace, signifying your pleasure as well for conviction of all Recusants, as also that the commissioners hereafter appointed should give better attendance in executing commissions of inquiry; to which purpose I presented to them a draft of a letter, which being read to them, they desired the Lord Treasurer to show it your Majesty, in regard your pleasure was to be declared therein, upon intimation whereof by his Lordship they would sign such letters; which his Lordship having signified two or three days after, bid me prepare the letters. But a few days after one of the commissioners advertised me in presence of the Lord Treasurer that it was your pleasure the letters should not be sent, for there were divers of the nobility and other persons of quality whom you favoured and would not have convicted; nevertheless letters should be sent for the certifying all Recusants' names to the justices, which certificate they should return to the commissioners here; which being accordingly written and signed by some of the commissioners, were notwithstanding afterwards not sent, as some of the commissioners conceived letters only for certifying Recusants' names without direction of further proceedings against them would rather hinder than further the service. [*Margin:* "This was merely to make a distinction betwixt the nobility and persons of meaner quality."] In April and May following I caused some messengers I had formerly employed into divers counties at my own charge for discovery of Recusants unconvicted, to indict such as they had discovered at the sessions then held for Middlesex, which they accordingly did; whereupon the Recusants petitioned your Majesty against me, alleging that indicting Recusants in a foreign county was contrary to law and a declaration made by your royal father, and thereupon you appointed the Lord Treasurer, Lord Dorset, Lord Cottington, Mr. Treasurer [Vane], and Lord Chief Justice Littleton to take due information thereof and give you their opinions, who in July following met and heard the Recusants' counsel, at which time I showed precedent for the like foreign indictments and necessity for proceeding in that course, as many

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Recusants had for years escaped convictions in their proper counties through fear or favour, and perhaps would so continue all their lives. Howbeit I was advertised afterwards it was your pleasure such indicting should be suspended. [*Margin:* "I was informed that this was an illegal and undue proceeding, by as good lawyers as any are in the kingdom."] Besides all this, I have met with another main hindrance in effecting the service, viz., letters granted by your Majesty to the more eminent and wealthiest Recusants, commanding no legal proceedings to be had against them for their recusancy, whereby your Majesty not only loses the penalties due from them, but under colour of those letters they protect the estates of other Recusants convicted as their own, so that they cannot be found by inquisition, by which your just interest in their particular estates is defeated; for discovery whereof your Attorney-General has at my instance preferred bills in the Exchequer against divers of them. [*Margin:* "Particular favours must not make a rule or precedent for others."] In all which proceedings my care and cost have been extraordinary, for I have expended above 600*l.* without one penny recompense from the commissioners. I therefore beseech your sacred Majesty to consider the aforesaid interruptions of the service, and to declare your princely resolution concerning my proceedings for the time to come as may be most for your honour and increase of your said revenue. [*Margin:* "It is good reason that your pains and charges should be considered in this business."] [*Endorsed:* "Mr. Pulford's declaration of his proceedings for increasing his Majesty's revenues by the forfeitures or compositions with Popish Recusants, 30 March 1641." 1½ *pp.*]

March 30. Covent Garden. 79. Sir William Uvedale to Matthew Bradley. Since I closed my last, I was commanded by the Lord General to send you this note of Captain Legg's with direction that it must be paid; so that his extraordinaries must fill up the sum of 1,649*l.* besides his ordinaries. I have only to say more that he has signed you a warrant of 50*l.* for your extraordinary charges and pains; I have not yet received it, but by the next return you shall have it. Now at his parting with his command I would not suffer him to be quiet till it was done. He is now at Sion, but Mr. Scouven brought this news thence. Send me a muster roll as soon as you can. [*Seal with crest.* 1 *p.*]

[March 31.] 80. Petition of the bailiffs, aldermen, burgesses, and commonalty of Great Yarmouth to "the most excellent Majesty of our dread sovereign lord the King." By an order of the Board of March 24, 1631[–2], it was ordered that Mr. John Brinsley, who had formerly been our minister in Yarmouth, and was licensed by the Bishop of the diocese so to be under his episcopal seal, should not henceforth preach in the town or its liberties, although he was and yet is a man of approved life and learning and conformable to the Church of England, and was also by the express words of the order left free to exercise his ministry in any other place, which he has done, to the great benefit of his hearers; and it was also then ordered that there should be no more preaching or divine service at a place called

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the Dutch Church, though it had been employed for that purpose in the time of your Royal father and Queen Elizabeth for forty years before. Petitioners pray you to make void the said order and take off Mr. Brinsley's restraint, that as he has freedom to preach in any other place he may have the like liberty at Yarmouth, that petitioners may enjoy the benefit of his preaching as well as others, and that we may again have divine service and sermons in the Dutch Church. [½ *p.*]

March 31. 81. Petition of Samuel Cordewell, his Majesty's gunpowder maker, to the King. Petitioner about four years since was contracted with by the Commissioners for Saltpetre and Gunpowder, for converting your Majesty's saltpetre into gunpowder and delivering the powder into your store in the Tower. Now by reason of a petition to the House of Commons that every man that will might make gunpowder, petitioner dares not make his provisions, as about this time of year he useth to do, for if he should make them, and the manufacture of gunpowder continue not in your Majesty's hands, he will be ruined, by reason of the great stock he already has, and must further provide; and if he make not his provisions he then renders himself unable to perform his contract and greatly fears punishment. So that in his extremity, and in a business so much concerning your Majesty as the having a store of gunpowder, which the Parliament in the year '23 or '24 by their remonstrance thought fit to be 300 lasts in the Tower, petitioner beseeches you to refer consideration hereof to the Council, to do therein as they shall think fit. *Underwritten,*

81. I. "*His Majesty is pleased to refer the consideration of this petition to the Lords of his Privy Council, &c. H. Vane, Court at Whitehall, March* 31, 1641." [1 *p.*]

[March ?] 82. Counsel addressed to King Charles, extracted from a printed pamphlet of Sir John Suckling. That it is fit for the King to do something extraordinary at this present is not only the opinion of the wise but their expectation; men observe him more now than at other times, for Majesty in an eclipse, like the sun, draws eyes towards it that would not so much as have looked towards it if it had shone out and appeared like itself. To lie still now would at least show but a calmness of mind, not a magnanimity, since in matter of government to think well at any time, much less in a very active [time], is little better than to dream well; nor must he stay to act till his people desire, because 'tis thought nothing relishes with them else; for therefore [the people] hath nothing but that they either have or were petitioning for. But that the King should do, will not be so much the question, as what he should do; and surely for a King to have right counsel given him at all times is strange, and at this time almost impossible. His party for the most part have so much to do for their own preservation that they cannot, without breaking a law of nature, intend another's. Those that have courage have not perchance innocency; they want parts to make themselves considerable; so consequently the things they

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undertake; then in the Court they give much counsel as they believe the King inclined, determine of his good by his desires, which is a kind of setting the sun by the dial, interest which cannot err by passions which may. In going about to show the King a cure now, a man should first plainly show him the disease; but to kings, as to some kind of patients, it is not always proper to tell how ill they are, and it is too much like a country clown not to show the way unless he know from whence, and discourse of things before. Kings may be mistaken and counsellors corrupted, but true interest alone, saith the Duke de Rohan, cannot err. It would not be amiss then to find out this interest. Certainly the great interest of the King is union with his people, and whosoever hath told him otherwise, as the Scripture says of the devil, was a seducer from the first. If there had been any one prince in the whole world that made a felicity in this life and left fair fame after death without love of his subjects there were some colour to despise it. [*The writer goes on to illustrate his propositions by instances culled from the previous history of England.*] I will—not that I think it needs at the present—conclude with a prayer—prayers are to keep us from what may be as well as to preserve us from what is—that the King may be neither too insensible of what is without him, nor too resolved of what is within him; to be sick in a dangerous sickness and find no pain, cannot be but loss of understanding, it is an aphorism of Hippocrates: and on the other side, opinion after is a sullen porter and shuts out oftentimes better things than it lets in. [3 *pp.*]

[March.] 83. Warrant of the King to the Clerk of the Signet attending. Francis Lord Cottington, about August last, by our special command and for our service bought of the East India Company 2,310 bags of pepper, which at 2*s.* 1*d.* the lb. came to 63,283*l.* 11*s.* 1*d.*, which was to be paid at four six months, viz., 29 March 1641, 14,000*l.*; 29 Sept. 1641, 14,000*l.*; 29 March 1642, 14,000*l.*; 29 Sept. 1642, 14,000*l.*; and 29 Dec. 1641[2?], 7,283*l.* 11*s.* 1*d.*; and by our like directions Lord Cottington, for supply of our then pressing occasions for payment of our army in the North, sold the pepper at 20*d.* per lb. for ready money, amounting to 50,626*l.* 17*s.* 1*d.*, which was paid into our Exchequer in Sept. and Oct. last, by which sale for ready money about 12,656*l.* 14*s.* was lost. But by a calculation examined and subscribed by George Bingley, an auditor of our imprests, it appeared that the time of payment of the sum we received for the pepper being four six months before we were to pay for it, there was saved to us out of the loss of 12,656*l.* 14*s.* the sum of 6,075*l.* 13*s.* 2*d.* at the rate of eight per cent. for interest, by the reason of the payment of that sum in ready money; so that the clear loss to us is but 6,581*l.* 10*s.* 10*d.*, which by our letters patent of January 15, 1640[1], for the reasons therein contained, we declared we were content to undergo by the sale of the pepper and to discharge Lord Cottington of the same. Now as Lord Cottington desires to pass a formal account of the pepper before one of the auditors of the imprest for his more full discharge, and that 6,075*l.* 13*s.* 2*d.* so saved to us will not be allowed upon the account for pepper without our warrant,

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our pleasure is that you forthwith prepare a bill for our signature containing a privy seal for the full discharging Lord Cottington as well for the sum so saved as the loss of 6,581*l.* 10*s.* 10*d.*, and concerning his buying or sale of the said pepper. [*Draft.* 2 *pp.*]

[March ?] 84. Petition of Sir Philiberto Vernatti to the King. Petitioner has been at the charge of 100,000*l.* for improving 600,000 acres of surrounded ground in England; by manifold obstacles and delays he has been frustrated for divers years of the possession of his land, and so has contracted debt and suffers great inconveniences. His share of 15,000 acres in the Great and Deeping fens is altogether useless to him for the present, merely by your Majesty's undertaking and not proceeding, so that he can neither sell nor charge any part thereof to raise money for his own relief and satisfaction of his creditors, who by strictest rigour of law against his person and estate violently seek his destruction, obstinately refusing all reasonable offers of reward for the forbearance of a small time, although they can do it without prejudice, and know well petitioner is willing and his estate able to pay all his debts and leave him a plentiful overplus if his industry be not interrupted. Your command to attend your royal person lays petitioner's estate open to his creditors' rancour, from which your favour may justly preserve him; but if not, not only himself, his family and friends will be irreparably undone, but likewise, whereas his industry in managing his estate will shortly procure full satisfaction for his creditors, his ruin will make it impossible. He prays, since he suffers in your undertaking and protraction, that you will shelter him from imminent ruin under your royal protection, the only means to make him subsist, and certainly to procure the complete satisfaction of all his creditors, which may be done by reviving your grant to this purpose obtained by petitioner two years ago [*see* March 25, 1639], then left by him at the Privy Seal, having for that time accommodated his affairs without further use of that royal favour, or by granting him a new one to the same effect. [$\frac{3}{4}$ *p.*]

[March.] 85. Paper headed "The Commons' declaration and impeachment upon the complaint of H[enry] B[urton], late clerk and rector of St. Matthew's, Friday Street, London, against, &c., for several crimes and misdemeanours," all which he hath and is still ready to prove; by which cruel and illegal acts of the said, &c., religion has been mightily scandalised, the Church polluted, justice perverted, the laws ecclesiastical and temporal and the lawful liberty of the subject violated, and H[enry] B[urton] and his family ruined, to the great dishonour of God, the maintenance of injustice and pernicious example to posterity. All which matters the Commons transmit to your Lordships and impeach all the delinquents, that they may be called to answer their crimes and receive such condign punishment, and Mr. B[urton] such reparations jointly and severally from them all for his losses and his damage sustained thereby; and that he be restored to his scholastic degrees and ecclesiastical dignities and living, and that all the said sentences may be declared illegal

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and unjust, and such further trial and judgment may be had on every of them as is agreeable to law and justice. [*Endorsed:* "Copy of part of Mr. Smart's transmission," *and numbered* "36," *having evidently formed one of a series of papers.* ⅔ *p.*]

[March.] 86. Petition of divers citizens of London to [the House of Commons]. Whereas there has been a great decay of trade in this kingdom, and great scarcity of money thereby, since the first motions in Scotland, especially since the most unhappy breach of the Pacification, this State being looked upon by foreign nations as unsettled, it has caused strangers who were wont to furnish great sums of money at interest to call in and remit those moneys by exchange into foreign parts, and such of our own nation as were lenders to call in their money and stand in expectation of the issue of things; commodities also brought in find no usual vent, but at great loss, which if it continue will hinder exportation, from the high exchange abroad, whereby there is as great loss as by goods imported. Such among us as have moneys owing in Scotland cannot receive them from their great disability through their troubles since the last breach. Ireland is so impoverished by the late great oppressions that debts owing there are still for the most part detained; and by our distractions the inland trade of the kingdom is so decayed that country tradesmen cannot pay their debts in London, and many have been ruined. The stopping of 130,000*l.* in July last and taking a third of it for the King's use has caused great scarcity of money, for now the merchants and strangers forbear to bring in bullion to the Mint, which till then was accounted the safest place and surest staple in these parts of the world. At the first sitting of this Parliament we hoped we should soon have our grievances removed and the incendiaries of the kingdom and oppressors of our liberties speedily condignly punished, and all things so settled that a free and full trade might return as before; yet after five months sitting of the Parliament we see none condignly punished, no man's estate confiscate, the Earl of Strafford himself used with unusual favour, though charged by all three kingdoms, and whose life and our safety are, we conceive, incompatible, which cannot but be a great encouragement to the rest of the great incendiaries and other highly guilty offenders. Subsidies are granted, money still required, but our grievances remain; the laws continue unexecuted; Papists still armed, some of the most active still resident at Court; the Irish Popish army not yet disbanded, though all these often humbly and earnestly desired by both Houses of Parliament; the great affairs of the Church sticking in debate and not yet determined. Merchant strangers more and more remit their money by exchange, and all our former straits are much increased, and we fear there are practices to put off all agitations that tend to reformation by them that desire to confound all things; with so much time spent in the business of the Earl of Strafford, with his often and earnest desire to obtain yet more, and his slighting carriage in this time of his trial at that bar where in reason he can expect no less than a heavy sentence according to the nature of his high crimes; also the guilt and activity of some ministers of State now fled, which together with

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the premisses, makes us fear we now lie under a deeper and more dangerous plot than we can yet discover. Which considerations we present to this Assembly as the true grounds of the decay of trade, the scarcity of money, and the increase of our fears, not expecting the Scottish army should depart, or if they should, that we shall be in any better condition, till justice be executed on the notorious offenders, and a perfect peace concluded by Parliament between the kingdoms. All which we pray, and hope we shall in the end receive no less from this Assembly, as those from whom, under God, we expect peace; and for His blessings on you and presence with you in this great work we shall ever pray. [*A petition to both Houses similar to this is printed in Rushworth iv. p.* 233. =2 *pp.*]

[March.] 87. Petition from Market Harborough, co. Leicester, to the same. By reason of sundry pressures in the Ecclesiastical Court from Sir John Lambe, and Mr. Burdon and Mr. Baily his surrogates, we are forced to present these grievances. That Mr. Burfeit, a godly and conformable man, was by Sir John Lambe thrust out of his cure of Harborough and Mr. Holmes put in his room, a man of scandalous life, convicted of drunkenness, no graduate in the University, who obtained priesthood by a forged testimonial from Balliol College and a pretence that he had formerly been made deacon by the Bishop of Oxford; and notwithstanding he was informed of all this, Sir John Lambe made him surrogate. That the communion table was set altarwise and railed in by order from the Court, and Mr. Jackson, our minister, enjoined to deliver to no communicant but at the rails; and divers refused to come to the rails, desiring to receive the communion in the accustomed place, which was denied them, and they presented by the churchwardens then being and cited to the Court for not receiving, where when they appeared an act was made by Mr. Burden to enjoin them to receive at the rails, which only Christian, wife of John Harper, refused to obey and was excommunicated, and so they have continued her about four years, notwithstanding divers demands for absolution. That the churchwardens for five years past were cited altogether, ten in number, to Leicester, although their Courts were kept at Harborough, and when they appeared they had nothing objected against them, but were dismissed. That Mr. Jackson at his first coming to Harborough was suspended at the visitation by Sir John Lambe because he had not appointed one to read prayers at the visitation, notwithstanding that he had gone into Wiltshire three weeks before and had no knowledge of the visitation, and so was continued about three months, to his great charge and trouble, before he could be absolved. We crave such redress as to your wisdom shall seem most fit. [*Six signatures.* 1¼ *pp.*]

[March.] 88. Another copy of the same. [1¼ *pp.*]

[March.] 89. Paper of arguments to show that the statute of 18 Hen. VI. cap. 3 in Ireland does not apply to the case of the Earl of Strafford, and that there is no evidence to prove the charge of treason or illegal proceedings against him in billeting soldiers on the citizens of Dublin against their will. [4 *pp.*]

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[March.] 90. A summary relation of the delivery and prosecution of Archbishop [Laud] of Canterbury's injunctions to the Strangers' churches in his diocese; with some chief reasons why the French or Walloon Church at Canterbury, and the Dutch Church at Sandwich, desire to be freed from them, showing how the Archbishop has since 1633 interfered with and infringed the charter of exemption from interference in their Church government granted them by Edward VI. and renewed by his successors and their present Majesties. The injunctions, which were delivered April 13, 1635, and aim at making the Strangers' churches conform to the Church of England, are:—1. That all the natives [*i.e.*, of the second descent] of the Dutch and Walloon congregations in his Grace's diocese are to resort to their several parish churches, to hear divine service and sermon, and to perform all duties required of parishioners. 2. That the ministers and all others of the Dutch and Walloon congregations who are not natives and born subjects to the King, or any other Strangers that shall come over, while they remain Strangers, may use their own discipline as formerly; yet it is thought fit the English Liturgy should be translated into French and Dutch for the better fitting of their children to the English [Church] government. [15½ *pp.*]

[March.] 91. Brief statement of facts in the cause between Dr. Walter Walker, commissary and official of the Archdeaconry of Leicester, and Sir John Lambe [*see Lords' Journal iv.*, 183], with certain queries on behalf of the latter. [*Draft corrected by Sir John Lambe.* 1½ *pp.*]

[March.] 92. Seven queries to be referred to Mr. Calthorpe in the cause of Walker *versus* Sir John Lambe and Burden. [*In Lambe's handwriting.* 1 *p.*]

[March?] 93. Answer of Sir John Lambe to the declaration and impeachment of the House of Commons upon the complaint of Peter Smart for so much as concerns this respondent. [*Draft.* 2 *pp.*]

[March.] 94. Notes of evidence, endorsed by Sir John Lambe, "Nine articles against Walker of Mr. Osbaston's" [Osbaldeston's]. Walker and Powell brought the letters to R. Kilvert in Michaelmas term after he had been at Buckden with the extent. That they often railed against and reviled petitioner to Kilvert, telling him that petitioner was the only incendiary and obstacle that kept Bishop [Williams] of Lincoln from submitting to the King and being reconciled to Archbishop [Laud], and that petitioner in his ordinary discourse at Buckden called the Archbishop, the Lord Treasurer, and other Lords by the ignominious names set forth in the information. [1 *p.*]

[March?] 95. Reasons why the executors of a deceased judge should not be liable to damages for injury inflicted by an unjust sentence. The case supposed is that four High Commissioners inflict an unjust sentence and one of them dies; after his death the others are prosecuted and compelled to pay damages to the sufferer of the sentence, and this

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paper shows why the executor of the deceased judge should not pay any part of the damages awarded. [2 *pp.*]

[March ?] 96. Proposals by Sir Belthasar Gerbier for the erection of "mounts" or banks, combining pawnbroking with banking business, throughout the kingdom, with a statement of the general and particular benefits that will arise therefrom to his Majesty and the commonwealth. [4 *pp.*]

[March ?] Office of Ordnance. 97. Estimate by the Officers of the Ordnance of the cost of furnishing five ships, the Lion, Tenth Whelp, Mary Rose, Expedition, and Greyhound, appointed to the seas, with powder, stores, and tackle, viz., for powder, 991*l.*; stores, 769*l.* 18*s.* 11*d.*; and emptions, 713*l.* 8*s.* 5*d.* Total 2,474*l.* 7*s.* 0*d.* [2 *pp.*]

[March ?] 98. Table showing the number of houses in each of the 26 wards of the city of London, the rate of the present fifteenth of each ward now paid, and what it would amount to if each house in the wards were rated at the proposed rate. [1 *p.*]

[March ?] 99. Grant by Nicholas Cole, mayor, and the burgesses of Newcastle-on-Tyne, of the office of chief clerk of Newcastle to William Green, of the same, for life. [*Part torn off. Latin.* 1 *p.*] *Subjoined,*

99. I. *Note of patents to subsequent chief clerks of Newcastle, viz., Edward Mann,* 1645 [*Sept.* 4]; *John Blakiston,* 1655 [14 *April*]; *John Marley,* 1662 [*July* 14]; *William Jennison,* 1675; *and John Douglas,* 1699.

[March ?] 100. Petition of the town of Tickhill to Sir John Conyers, Lieutenant General of the Horse. Last Friday, by direction of Sir Ralph Hansby, the chief officer here, a view was taken by the constable and others of the best sort among us, what store of hay and straw every man had and what proportion might be spared towards the supply of a troop of horse, or so many thereof, if need be, as should have occasion to be quartered here. It appears there is not enough to maintain our own cattle till May-day next, so that if any horse be quartered here it would utterly undo us. Therefore we, his Majesty's immediate tenants, are confident we may enjoy the same ease as the tenants of divers noblemen in being freed from that burthen, the rather that this is a large, poor, and populous town, and maintained chiefly by tillage and malting, which requires great stock of cattle, and it being now the outgate of the year and fodder much spent; and in the beginning of our seed [time] for the small remainder of our fodder to be eaten up by other horses than our own will disable us from covering our ground with seed, maintaining our marketing, fetching in barley or carrying out malt to raise money to pay the subsidies now granted, paying our rents or maintaining our families. Besides, we, being freeborn subjects, by the laws and statutes of this realm, ought not to be liable to the billeting of soldiers; and having a propriety in our own goods and fortunes, and it being warrantable for us to maintain them with our lives, and being so much necessitated thereunto as we are, and for prevention of all evils which may

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1641. arise from the quartering of any horse among us as is threatened to be presently done, we pray you to take this our petition seriously into consideration, and to forbear to order the quartering of any horse among us; or if by any sinister means or misinformation you have already suffered any such order to pass, that you will recall it. [*Subjoined are* 37 *signatures.* 2 *pp.*]

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April 1. 1. Certificate by Mr. Auditor, Thos. Brinley, of the Queen's profits for seven years last past by copyholders' fines within her manors of Leven and Patrington, co. York. Total 57*l.* 18*s.* 7*d.*; total of the medium, 8*l.* 5*s.* 6¾*d.* This certificate was made by warrant from the Commissioners of the revenues of the Queen's jointure, dated March 1, 1640[–1]. [1 *p.*]

April 1. 2. Account by Dr. Bardesy of the last illness and death of the Lady Barbara, Viscountess Fielding, daughter of Sir John Lambe, who died April 1st, 1641, half a quarter of an hour before nine at night. [1½ *pp.*]

April 1. 3. Certificate of Christopher Kingscote to Robert Long, her Majesty's Surveyor General, of the quantity and annual value of her Majesty's park of Blandsby in Pickering Forest, co. York. It contains 1,280 acres, the yearly value of the soil being 129*l.*, which if improved would be worth 277*l.* per annum; the houses, trees, and underwoods are worth 410*l.* [1 *p.*]

April 1. Office of Ordnance. 4. Certificate by the Officers of the Ordnance of gunpowder received into or issued from his Majesty's stores during March 1640–1, and of the quantity now remaining in store. Totals in store in the Tower, 180 lasts 19 cwt. 59 lbs, and at Portsmouth, 73 lasts 6 cwt. 98 lbs. [2 *pp.*]

April 1. 5. Receipt by Edward Wither for 7*l.* 10*s.* received from Edward Nicholas by the hand of Henry Thornbourgh, to the use of Lady Cicely De la Warr, for a half year's rent for the farm of Long Parish. [½ *p.*]

[April 2.] 6. Petition from the co. Palatine of Chester to the Lords Spiritual and Temporal in Parliament, delivered in by Sir Thos. Aston, concerning Episcopacy. In favour of retaining Church government by bishops, and deprecating various petitions which have been spread advocating the abolution of bishops, as not tending to reformation but absolute innovation in government. This petition was subscribed to by four noblemen, 80 and odd knights and esquires, 70 divines, 300 and odd gentlemen, and above 6,000 freeholders and other inhabitants. [*Printed for John Aston,* 1641. = 2 *pp.*]

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[April 2.] 7. Petition from the co. Palatine of Chester to Parliament concerning Episcopacy. Counter petition to the preceding, praying for the abolition of the Bishops; showing they did not exist in the time of the Apostles; pointing out the arbitrary government and other abuses they have introduced, and the blessings that will result from their abolition. This petition was subscribed to by eight noblemen, 199 knights and esquires, 140 divines, 757 gentlemen, and above 12,000 freeholders, and other inhabitants. [*Printed.* = 2 *pp.*]

April 2. York. 8. Sir John Conyers to [Edward Viscount Conway]. I humbly thank his Majesty for his gracious answer; I shall with impatience attend the success of it. The money for your horses and waggons Capt. Brough has received. Mr. Wilmot has made Capt. Legg's brother his cornet, and O'Neale has made himself one. I send you the enclosed that you may see what wise letters I sometimes receive from him. Capt. Byron, O'Neale's lieutenant, tells me he will quit that place, for he is weary of the usage he receives from him. Mr. O'Neale writes that his new cornet has his commission from the 8th of December [1640], and that his old cornet must have no pay from that day; yet he went hence but on the 9th of January, and had leave from me for three weeks. In my opinion the means for that time is all due to him. Two sentences in semi-cipher follow. My Lord of Northumberland writes that he has order from the King to command all the officers, except Parliament men, to the army. Cornet Tracy writes that Sir Foulk Huncks offers him his lieutenant's place, but that he has civilly refused it, in hope your Lordship will assist him to a better command. He had thought that Capt. Howard's troop would have fallen void shortly, but my Lord General hath dispensed with his absence and Sir Jo. Berkeley's from their troops for a while, so there's no appearance of that, I believe. I send a list of the strength of the horse as they have been mustered as present; yet I conceive that some troopers who are absent with those captains who are at the Parliament, and otherwise by leave, are made good upon the muster books for present men. I send the rules now to his Excellency; and although the Scots advance not, saving to enlarge their quarters, yet it has been said they intended to pass the Tees hitherward. Though many in this kingdom make no question of their integrity, yet if they should pass, I have desired in my letter to his Excellency to know how we are to behave, whether to resist them as our enemies; because so many of this kingdom esteem them friends. [2½ *pp.*]

April 2. 9. Petition of Dame Anne Moore, widow of Sir Francis Moore, serjeant-at-law, to Francis Lord Cottington, Master of the Court of Wards. In the cause between Dame Elizabeth Moore, committee of Sir Henry Moore, Bart., his Majesty's ward by information, plaintiff, and petitioner defendant. Petitioner has sent into court the inventory of the goods and plate of the said Sir Francis Moore, the ward's grandfather, in obedience to an order and injunction to that purpose. In the said cause a commission is issued to examine

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witnesses, which is to be executed this vacation; and it is materially necessary for petitioner to have the inventory to produce before the commissioners, and to examine witnesses thereupon, who cannot speak but upon view of the inventory, as the same is written by some of their own hands, as by the affidavit annexed appears. For these reasons, and for that the plaintiff hath a copy thereof, the same having remained in court near a twelvemonth, she prays that she may have the said inventory out of court, to produce at the commission. *Underwritten,*

9. I. "*Direction by Lord Cottington to Mr. Audley. Let the inventory in the petition mentioned be delivered to petitioner, so as she or Thos. Moore, gent. named in the affidavit annexed, enters into bond of* 100*l. to return it into court, together with the commission; so as both plaintiff and defendant may make use of it at the execution of the commission as is necessary; and let an order be drawn up accordingly. 2 April* 1641." [*Copy.* 1 *p.*]

April 3. 10. Protection by one of the Peers [Edward Viscount Conway?] for his servant William Owen. These are to require you to suffer the bearer quietly to pass without molestation or arrest "during this time of Parliament, as you will answer the breach of the privilege belonging to all and every Peer of this realm." [*Draft.* ½ *p.*]

April 4. Stanstead Mountfitchet. 11. Richard Ward to Sir Edward Deering. Being not able through distance and business to attend upon your worship, I have sent the things which were expunged out of my book; and a most short survey of the contents of these two manuscripts, which I have superscribed the greater and lesser book, that your religious assembly and honourable court may the more readily turn to anything they please. I have both referred the House or committee to some particular places in both these manuscripts, wherein are passages whereby it will clearly appear whereunto they desired and hoped ere long to lead us; and also have reduced all that was expunged to nine short heads, and have thereunto annexed a table, by which that undoubted and too-well experienced truth of your worship's is confirmed, that England's "Imprimatur" is worse than Italy's "Index Expurgatorius." Both myself and the Church have suffered, and that not lightly, by the licensers thus handling my book on St. Matthew; for I promised the world, in the epilogue of that work, to go on with the rest of the Evangelists; and I had with no small pains prepared for the press both Mark, Luke, and almost all John; but this is so mangled that it lies by the walls, whereby I am quite discouraged from setting forth the rest. I refer it wholly to your worship whether you think me worthy of any satisfaction from Dr. Weeks for the wounds and wrong which I have received through the sides of my book by his means. I humbly desire your worship to be a means that these two manuscripts I have sent may be licensed for the press, and I will attend upon you for them as soon as possibly I can; and if you please to appoint me any time after Easter, though it be within a week or

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two, to preach before the House I shall most willingly attend that service; and because of that honourable respect which I bear unto your worship above all that I know in the House,—although I know divers, and have some particular interest in some knights there,—I desire that I may be brought as your chaplain or friend, and I hope that your worship shall incur no disgrace thereby. [⅔ *p.*]

April 5. 12. Certificate by Richard Allison, Rector of Syderstone, and Tho. Logher, Rector of Letheringset, co. Norfolk. That Charles Ward, M.A. and priest in holy orders, has officiated in the cures of Fakenham and Larringset [Letheringset], Norfolk, this five years, and demeaned himself soberly, agreeable to his vocation, and being in all things conformable to the doctrine and discipline of the Church of England. [½ *p.*]

April 6. York, at night. 13. Sir John Conyers to [Edward Viscount Conway]. I send you enclosed the copy of a letter of mine to his Excellency [the Lord General], by which you will perceive as much as I know of the business I write of. The foot officers are discontented, and all men are of opinion they intend to do something; but I fear, let it be what it will, it will not be wisely done, for our army is not in state nor discipline, nor I think so well inclined, as to do anything worth speaking of, though some of the officers be gallant men. You will perceive by the last part of my letter that I desire, if some commanders come hither, I may then be spared to come to London. I beseech you inform me what you hear touching our army, and what chiefs we are likely to have, and also advise me what shall be fitting for me to do; and if Mr. Goring come to command me, or any man else that is not of more eminence, I pray your Lordship then to assist me all you can, that I may have leave to come to London, though but for a few days. I hope it will seem no wonder that having been so long in these parts my occasions now draw me into the south; and I may as well be spared for a short space, as all the world have been spared all this while. I may well desire to change this air, for I desire nothing more than that the army may be discharged, and that I may leave this employment upon any reasonable terms and without prejudice to my reputation, which I fear is a thing almost impossible to be done; but I am thus far embarked in it and must now attend the event. [2 *pp.*] *Enclosed,*

13. 1. *The same to [Algernon Earl of Northumberland]. I perceive the foot officers are not pleased with what they have received from the Parliament touching the letter they sent up to your Excellency, for I find by their discourses that their discontents are not lessened, and it may be, fearing they have displeased, may chance draw them into further inconvenience, so that I doubt some disorder will suddenly follow. They had a meeting at [Burrough] Bridge on Saturday last but what their business was or what they agreed upon I cannot learn. I hear again they are to meet here this night or to-morrow. A rumour*

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has been spread in these parts for some days that a herald at arms was come down, and so was Mr. Bellasis, Lord Fauconberg's son, to cashier the army, which troubles them and the country also, not hearing of full payment. I have been informed they have endeavoured to persuade some of the officers of the horse to join them, but to do what I know not; therefore, to avoid all evils, as soon as the moneys were paid out. I gave charge to the chief officers here to command all the rest to their quarters, there to exercise and keep their troops in order. Yet some I hear remain still in town, but keep out of my sight. I am perplexed in this business, and therefore despatch this express to your Excellency, beseeching your order in it. Without that I shall be unwilling to do anything. I do also beseech you to give me answer to that clause of my letter of the second of this present, what shall be fit for us to do if the Scottish army or any part of it, upon pretence of finding a better quarter, or any other occasion, shall press upon us or seek to pass the Tees. Your Excellency will be pleased to pardon me that I ask this question, for the times are such that I know not how to govern myself. I understand that some of the foot officers by a note under their hands have desired Mr. Goring may be Lieutenant General of this army, for which some of them are already sorry. If he come to command here in that quality I do then most humbly beseech you to give me your leave or to procure me the King's leave that I may come to London to attend your Excellency. I shall then give his Majesty and your Excellency such reasons of my occasions there as I hope shall be pleasing to his Majesty and your Excellency. P.S.—I beseech your Excellency that this letter may not be made public, for this I write is for the most part but of presumption. [*Damaged by damp. Copy.* 3 *pp.*]

April 6. Covent Garden. 14. Sir William Uvedale, Treasurer-at-Wars, to Matthew Bradley. I have received yours of April 2. The warrant signed by my Lord General for yourself is yet at Sion, so that I cannot yet send it down, but it is safe enough. I find you have sufficient moneys to discharge this month's pay, and when that is done you hope there will be a considerable sum resting, which I am glad to hear, and should be as glad to hear what it is, as also what the charge of the army will monthly amount to according to your last musters. It pleaseth me well, too, that you intend to be at York this week to set the charge right with the paymasters there, of which I expect to hear by the next return. The bill of 300*l.* of Mr. Potter's I am provided well enough for the payment of here presently, and therefore if you charge it on Miviett or yourself, which I had rather, I shall pay it here upon sight or six days' sight, I am willing you should have as much money in your hands as I can conveniently return you, and therefore I have accepted a bill of exchange of 100*l.*

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on Sir Thos. Lucas, addressed from Miviett, which is here paid, and therefore you must now charge it on him. Touching those warrants of my Lord Grandison I am satisfied, though I think it is something improper for me to pay here warrants signed by Sir Jacob Ashley, when they might receive their money upon the place. Among the rest here is a surgeon of an hospital who has brought up his warrant for his month's pay, and the acquittance is drawn by you. It is but for 12*l.* 12*s.*,—no great burden for him to have brought with him. This warrant I have suspended till I hear further from you. After I received yours by the post, I received your letter by your brother, and sent away immediately the enclosed letter and bill of exchange for 100*l.* unto the Earl of Cork, who in downright terms has refused it, and therefore I have sent you the bill of exchange and [David Earl of] Barrymore's letter to his father [-in-law] back again. For the question that is made by Sir Jacob Ashley touching the dead or runaway soldiers I think it is needless, especially their money being due four months since, and therefore I would make no question of it now. I know it would discontent the officers very much, which, as I hear, are full enough already of discontent; but for the next month you must order it punctually according to your last musters. I sent you down an order under Mr. Scowen's hand, as from my Lord General, that although Captain Porter and Captain Crofts, of my Lord General's regiment, had cashiered themselves, yet it was my Lord's pleasure they should receive their pay till the 5th of January, and that the captains that succeeded them had their commissions dated but from that day. I would be glad to know how they stand with you, for they have been with me, and I can make them no answer till I hear from you. There is one Captain Roper, a son of Viscount Baltinglass, that was a reformadoe in Colonel Terringham's regiment, who pretends he was absent at the time of the cashierment and has not been paid. I sent him to Captain Burgess, who received, I take it, for the whole regiment, but who denies that he received any entertainment for him; and therefore I desire some direction from you, that I may give him his answer. Now to my own business, for that is ever put in the last place. I know no particular money lent out of my own purse that is yet unpaid, but these two sums, 20*l.* to Captain Horatio Cary, and 30*l.* to Sergeant-Major Brockett, which was lent to his wife in Hampshire upon his own letters; take these into your hands, for then I know they are safe. You will hear from us shortly about orders for the army, but they will not concern us that pay it; but we are all now so busy about the Earl of Strafford, whose business is now upon the point of finishing, as we cannot tend anything else. [4 *pp.*]

April $\frac{6}{16}$. Paris. 15. Robert Read to his cousin Thomas Windebank. This bearer is a very civil man and my good friend, and I hope may be of advantage to us in the business of the posts, for he is able to say as much in that as any man, he being one of those Witherings has deceived. His name is Mr. Frizell. He can tell you my uncle enjoys bodily health, and his heart is not the heavier for some

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expressions delivered him from their Majesties by Mr. Mountague who arrived here on Saturday last. He comforts himself that he shall have all the favour his Majesty and the Queen are able to do him, and the rest must be remitted to God's good pleasure. I am come to the knowledge of a report raised of me, I know not by whom, but spread here by some English gentlemen, which is most false and malicious, that I said all the Lords of the Parliament in England are fools; but whether I said it in England or here I cannot yet learn, but am sure I said it nowhere; and I think you will answer for me that I could not be guilty of such an indiscretion. My comfort is that I know myself so clear of any unworthiness or corruption, that if they will have wherewithal to accuse me they must invent it, as they have done this. It is not improbable it may have been reported in England to my prejudice, for certainly the framers of it did it to do me a mischief, and they cannot do me a greater than to spread it there. I will do my best to find out here the author of it, for although I am not in a condition to call any man to account for it, I may discover my adversaries, and make such use of it as I think fit. Meantime if you hear of any such report there I beseech you use means to depress it. In regard of the danger of going to the country we have taken a new lodging for a month longer in town in a more private place. [2 *pp.*]

April 6. 16. Petition of Philippa Rogers, widow, to Francis Lord Cottington, Master of the Court of Wards. Petitioner's husband, William Rogers, last November died seized of divers lands in co. Gloucester, held of his Majesty in capite by knight's service, leaving Don Rogers, his son and heir, within age. Petitioner on her petition obtained from your Lordship a grant of the wardship, and was appointed to compound for it last term, and endeavoured to do so; but being taken with a long and dangerous sickness, she committed the care thereof to Mr. Thos. Rogers, a student at law, who endeavoured to find the office, but could not, as divers of petitioner's writings were dispersed in other men's hands, and both the escheator and feodary were not then residing in the county; but Mr. Rogers, contrary to his promise to petitioner, neglected to continue the petition for longer time, as by the annexed affidavit appears; by reason of which neglect and upon false pretence to your Lordship, one Mr. Lee did upon petition obtain a promise of the same as a neglect, and got out a writ to find the office. Petitioner prays you to confirm to her your former grant of the wardship, and a Supersedeas to the [writ of] Diem clausit last taken forth, and a new writ of Diem clausit to find the office, which she will do this vacation and compound next term. *Underwritten,*

16. 1. *Let the former writ be superseded and petitioner have a writ or commission in the nature of a Diem clausit extremum to find the office, and let the office with a schedule and confession of the estate be returned the sixth sitting upon compositions in Easter term next. Francis Cottington,* 6 *April,* 1641. [1 *p.*] *Annexed,*

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16. II. *Affidavit by the same Philippa Rogers of the truth of the above premisses, contained in her petition.* 2 *April* 1641. [1 *p.*]

April 8. Office of Ordnance. 17. Estimate for furnishing with ammunition ten of his Majesty's ships and pinnaces, viz., St. Andrew, Rainbow, Bonaventure, Garland, Leopard, Victory, Happy Entrance, Providence, Roebuck, and Nicodemus, appointed to the seas in his Majesty's service by warrants of the Lord High Admiral dated March 26 and April 8, 1641. Powder, 3,669*l.* 10*s.*; stores, including shot, match, muskets, crows, &c., 2,281*l.* 9*s.* 4*d.*; emptions, comprising cordage, fireworks, ships' carriages, &c., 1,345*l.* 1*s.* 11*d.* Total, 7,296*l.* 1*s.* 0*d.* [2 *pp.*]

April 8. Chester. 18. Judith Croxton to her cousin Mrs. Judith Croxton, at Sir Thomas Smith's house in London. Wonders she has not heard from her; sends love to all her relatives. [1 *p.*]

April 9. York. 19. Sir John Conyers to [Edward Viscount Conway]. Although your Lordship besought the King that you might quit your charge, yet I hope it is not accepted by his Majesty; that would be a means to stay Mr. Goring above, whom I should be loth to serve under. The foot now say his coming hither was propounded to their ambassador Captain Chidleye by my Lord of Newcastle by order from the King; but I hope his Majesty knows him so well that he will find some other for this command. If he comes Sir Jacob Ashley is resolved to quit his command; and the most part of those that put their hands to the paper that desired him are now sorry for it. His Sergeant-Major Willis and some few young fellows of his regiment persuaded the rest to it. I send you a copy of my letter to his Excellency. P.S.—I send you the enclosed list because it is spoken of in his Excellency's letter, and that you may see the mistakes they have sometimes [made]. Perchance the like was in the furnishing Newcastle with ammunition. [1 *p. Damaged by damp.*] *Enclosed,*

19. I. *The same to Algernon Earl of Northumberland, Lord General of the Army. I have received your Excellency's of the 6th inst., and have already given a warrant to Captain Legge to deliver ammunition to the troops and to keep an account of it, and will give order to the officers to detain money in their hands for the payment of it, when rates shall be set, according to your command. I wrote to you the 6th inst., and shall attend your Excellency's answer at your leisure, and when the Parliament shall have given directions for one part of it. I am giving order for particular alarum places for the regiments, that I may with more ease draw them to a general rendezvous on any sudden occasion, and shall now give them notice of the supply of money the Parliament is providing for them. All but some few have repaired the few arms they have, yet our defects of arms are very great, as may appear by the lists I long since sent you. The country throughout complain of their want of fodder for their cattle, and will not be*

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long able to assist the troops; and if we should have occasion to draw together I know not how we shall subsist for any small time, nor how to draw together for want of money to make provision; yet I shall do my endeavour to the uttermost. According to your order touching Lord Conway's corporal for shooting at a dog and killing a man, I have caused all such delinquents to be committed to gaol, and they have now at the assizes received their trial; a list of them I enclose. Certain provision was ordained for the magazine of Berwick last year, and some part of it was sent in August, but the particulars expressed in the enclosed list were wanting. Likewise I pray your Excellency to call to mind that I importuned you many times last year for a supply for the magazine there, which at last was agreed to and ordained to be sent the 5th of September, as appears likewise by the enclosed note. At my coming from Berwick after the cessation of arms, I was informed a ship was come to Holy Island with those provisions, but it was a mistake, for to this hour they have not been sent, and till now that Captain Tillier tells me of it, I never dreamt but that they had been delivered there long since. Whose fault it is I know not, but such mistakes may cause great inconvenience. This I thought fit to give you account of, and beseech you to send this list to my lord of Newport. The oaken planks for the platforms not coming in time, deal planks were furnished, so that if your Excellency think fit to send the rest of the provisions that part may be spared. York, April 9. [*Copy.* 2¼ *pp.*]

April 9. Paris. 20. Sir Francis Windebank to [his son Thomas Windebank]. Your letters of April 1 are come under my Lord Ambassador's cover, and I think you shall do well still to make use of that address, especially remaining in Court as you purpose to do during your quarter of attendance. I shall likewise take the benefit of that conveyance to you, and therefore call for my letters from Mr. Treasurer [Vane]. Mr. Mountague arrived here last Saturday and has been with M. de Chavigny and the Cardinal [Richelieu], who have received him very well. He brought me so gracious an expression from the Queen [of England] that I held myself obliged to make an humble acknowledgment of it to her Majesty, which goes herewith, and I desire you to present it to her own hands. My Lord Ambassador [the Earl of Leicester] continues his favours to me and has been this week with me at my lodging. I wrote lately to Mr. Treasurer [Vane] by Mr. Frizell, who touched here in his passage out of Italy toward England. He was Postmaster before Witherings, and drew him in to be his partner; but Witherings, in token of his thankfulness, joined with Sir John Coke and thrust the poor man utterly out. He is able, and not unwilling if he be dexterously managed, to discover much of Witherings' miscarriage in that place, which I have desired Mr. Treasurer to make use of, and you will do well to put him in

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remembrance of it from me. I have not yet taken any resolution concerning my remove hence; not that I apprehend the malice against me to be any whit abated, finding no cause for such a conceit, but that I hope God will preserve me as hitherto. But I am removing to another lodging in this faubourg, which belongs to a Scotch Colonel that is gone for England and is to stay there three or four months. Your mother's resolution for Haines Hill is very good, and I wish I could be with her. Sends love to his family and relations. P.S.—Lord Vaux is fallen into an ague and has had three or four fits. [2 *pp.*]

April 9. Burdrop. 21. William Calley to Richard Harvey. Thanks for the news he sent and the two legacy rings, which, however, are not substantial enough, "because I had rather much over-do than one jot under-do the will of such a father as mine was." Wishes to have the death's heads all engraven and then enamelled if it may be done. Amongst my charges of the Earl of Strafford and Archbishop Laud I do not find any reply that they have made in defence of their innocence, and I much desire to see if any such are come forth. I must needs confess the charges are heavy ones, some of them. I am glad my friends stand so well. Pray send me 12 grains of the best musk. [*Seal with arms.* 1 *p.*]

April 10. 22. The Judges' resolution upon the question propounded to them by the Upper House concerning hearing of further witnesses in behalf of the Earl of Strafford. That according to the course and practice of common justice before them in their several Courts upon trials by jury, as long as the prisoner is at the bar and the jury not sent away, either side may give their evidence and examine witnesses to discover truth; and this is all the opinion as we can give touching the proceeding before us. *Annotated by Nicholas in the margin,* "This question was propounded to the Judges by the Lords of the Parliament, 10th April 1641, in the case of the Earl of Strafford, E.N.," *and endorsed by him as above.* [*Printed in Lords' Journal, vol.* iv., 212. ½ *p.*]

April 10. 23. Another copy of the same. [½ *p.*]

April 10. 24. [Dr. Dell to Nicholas ?] Our new Committee for Religion was to have sat last Monday afternoon, but there being neither meeting nor adjournment it was left *sine die*; yet on Thursday afternoon the Bishops of Lincoln, Durham, Winchester, and Bristol met, where the assistants, attended by some threescore divines of inferior rank, were present, and many temporal lords; and many points of doctrine and church service being questioned, among the rest one lord said it ought to be put out of the Creed that Christ descended into hell, which he did not believe. Yesterday forenoon, without any notice to the other committees, the same spiritual lords and divines met at the Bishop of Lincoln's lodging, where in less than two hours they condemned, as I am informed by the Bishop of Bristol [who was] present, about fifty points in doctrine they had met with in several treatises and sermons of late printed amongst us. They had culled out a passage of my Lord of Canterbury's Star Chamber speech, which

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they say is that *hoc est corpus meum* is more than *hoc est verbum meum*, which the Bishop of Lincoln censured, for that *verbum* did make *corpus*, but he would not [say] further here, because his Grace was like to answer it shortly elsewhere. *Seal with coronet and motto.*] *Enclosed,*

24. 1. *Answer by Archbishop Laud to the objection to the above passage of his speech. Objection: 'Tis not less, since 'tis the word which makes the body. Ans.:* 1. "Corpus conficitur" *was used by some of the ancient Fathers* sano sensu, *but is abused by the Romanists at this day to prove transubstantiation. Wherefore I do a little wonder to hear from some men this phrase, To make the body.* 2. *In St. Augustine 'tis* "Accedit verbum ad elementum et fit sacramentum." *The Sacrament is made, not the body.* 3. *Be it Sacrament or body which is made, 'tis* verbum consecrationis *that makes it, 'tis not* verbum predicationis, *of which only I there spake.* 4. *All this is true, though it be spoken of that which is indeed* verbum Dei predicatum; *whereas God knows* omne verbum predicatum *is not* verbum Dei. 5. *A lewd minister may deprave the word and make it void many ways, but he cannot hurt the Sacrament* digne recipienti. [*In Laud's hand.* 1 *p.*]

April 12. 25. Note by Nicholas of a message from the King to the Lord Mayor of London delivered by him. To acquaint my Lord Mayor that his Majesty understanding there is a petition framing, and hands getting to it by some of the city, to the Parliament, for speedy proceedings against the Earl of Strafford, his Majesty commanded me to tell his Lordship that he holds it a very unbeseeming thing that the city or citizens should petition for any matter depending in Parliament, and therefore his Majesty commands that his Lordship use his present and effectual endeavours to stop the getting of hands to that or any other petition whatsoever, and that he suffer no petition with hands to be prepared either for his Majesty or the Parliament, for that it is a tumultuary way, and not fit to be allowed in any civil government; and that his Lordship have a care to do this secretly as of himself, and not by any command from his Majesty. Mr. Recorder is to go with me to the Lord Mayor with this message. *Underwritten,*

25. 1. *Mr. Recorder and I delivered this message the* 11*th of April accordingly in private to his Lordship, who promised to have a care to perform it.* [1 *p.*]

[April 12.] 26. Petition of Sir John Lambe to the Lords Spiritual and Temporal in Parliament assembled. Petitioner prays you to hear the cause between Walter Walker and himself, because—1. Two of petitioner's counsel were absent at the hearing thereof before the Lords Committees. 2. Petitioner hath divers things to prove before you which were not then mentioned. 3. It will appear that Walker neither had nor hath any right to the office in question, and if he had he hath surrendered the same. 4. Nor ought he to have

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any damages, because he sustained none by petitioner, and if he did he hath clearly released it. 5. But that he unjustly troubled petitioner and the country without any just title, and therefore ought to make reparation to petitioner, which petitioner humbly prays he may do. 6. Lastly, for that if he think his title good petitioner is ready to try the same with him at the Common Law, where indeed it most properly belongs; and [petitioner] will take no advantage of the said surrender. [*See Lords' Journal, vol.* iv., *p.* 214. *Copy.* 1 *p.*]

April 12. Monday morning. 27. Nathaniel Tomkyns to [Sir John Lambe]. On Friday afternoon I understand by my brother Walter and other friends that Sir Henry Anderson, being absent from the House when my brother moved on your behalf, did of his own accord move that you might have leave to go into the country for a month, and was seconded by Sir Robert Harley; and after some opposition Mr. Hyde and Mr. Godolphin spoke also for you, but they were withstood by Sir John Clotworthy, Mr. Rigby, and others. Mr. Pym, taking a middle way, was content you should go into the country to any place not above 10 miles from London, so that you might attend the House at two days' warning [*see Commons' Journal,* iv. *p.* 117], upon notice to be left at your lodging in Doctors' Commons. My brother came not into the House until Mr. Hyde was speaking, and standing up to speak after Mr. Pym, Mr. Hollis stood up also with him, who being the first up in Mr. Speaker's eye had, according to the order of the House, the priority of speaking. He besought them not to spend so much time about one man's safety when the safety of the whole kingdom was in question, that day being appointed to consider of the two armies, both being discontented for want of pay, and if either should come more southward it might embroil both nations. After his speech the precise party would hear no more concerning you, but fell to the business of the day, disputing till seven at night whether a cessation of arms for a fortnight longer, after the 16th inst., should not be desired of the Scottish Commissioners, which being opposed by many as a thing that would draw from the subject 12,500*l.* more, and as dishonourable to move from that House unless either the Scots or the Lords Commissioners of the Upper House should move it as formerly, it was nevertheless resolved on division that it should be so, about 140 being against it and 240 for it. On Saturday morning the Earl of Strafford being come to Westminster Hall, and both Houses sitting in presence of the King, the Commons desired they might enlarge their charge upon the 23rd article; whereupon the Earl also desired he might enlarge his answer upon the 21st and 23rd articles. The Lords, retiring to their own House, returned with this resolution, that they held it equal if the Commons added anything *de novo* that the Earl should have the like liberty. The Commons, not satisfied therewith, much pressed that they had formerly had a saving granted them, but the Earl had none; the Earl said he had humbly besought the Lords he might have the like saving, and he hoped it would be held reasonable that if new objections were made he should have

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April 13. 28. Speech of the Earl of Strafford on the last day of his trial in Westminster Hall. The Lord Steward at his entry told them the Lords had ordered that their testimonies should be waived and that they should proceed immediately to what followed, so that day might put an end to what concerned matter of fact. Lord Strafford replied that in all humility he would submit himself to that or any other their decrees whatsoever, though it could reach so far home to him as his own life; but with all humility begged that if hereafter he should be troubled—for they [the Commons] were to speak last—with new matter or supplemental proof, he might be heard to say for himself. The Lord Steward having said that it was all the reason in the world, he went on thus:—My Lords, this day I stand before you charged with high treason; the burthen is heavy, but far the more that it hath borrowed the name, the Patrociny of the

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House of Commons; if this were not interested I might shortly expect a no less easy, than I do a safe, issue and success to the business; but let neither my weakness plead innocency nor their power my guilt. If your Lordships conceive of my defences as they are in themselves without reference to either—and I shall endeavour so to present them—I hope to go hence as clearly justified by you as I am now in the testimony of a good conscience by myself. My Lords, I have all along my charge watched to see that poisoned arrow of treason that some would have to be feathered in my breast, and that deadly cup of wine that hath so intoxicated some petty misalleged errors as to put them in the elevation of high treason; but, in truth, it hath not been my quickness to discern any such monster yet within my breast, though perhaps now by a sinister imputation sticking to my clothes. They tell me of a twofold treason, one against the statute, another by the common law; this direct, that constructive; this individual, that accumulative; this in itself, that by way of construction. For the first I must and do acknowledge that if I had the least suspicion of my own guilt I would spare your Lordships this pains and pass sentence of condemnation against myself; and whether it be so or not, I do refer myself to your judgment and declaration. You and only you, under the favour and protection of my gracious Master, are my judges. Under favour no commoner is my peer, nor can be my judge, and I shall ever celebrate the providence and wisdom of your noble ancestors that have put the keys of life and death, so far as concerns you and your posterity, in your own hands; none but you know the rate of your noble blood, none but you must hold the balance in dispensing the same. I shall proceed in repeating my defences as they are reducible to these two main branches of treason; and for treason against the State, which is the only treason in effect, nothing is alleged but the 15th, 22nd, and 27th articles. Here he brought the sums of all the replies made to these three articles before; and he alleged five reasons for nullifying the testimony of Sir Henry Vane, because it seemed pressing: 1. That it was but a single testimony and could not make faith in a matter of debt, much less of death; yea, that it was expressly against the statute to impeach a man, much less condemn him, for high treason but by the testimony of two famous witnesses. 2. That Sir Hen. Vane was dubious in it and expresses it with an "As I do remember," and such and such like words. 3. That all the Council of eight besides himself discountenance the words, as if by a singular providence they had only taken hold on his ears. 4. That at that time the King had levied no forces in Ireland, and therefore he could not be so impudent as to say to the King himself that he had an army there for reducing this kingdom. 5. That he had proved by witnesses beyond all exception, the Marquis Hamilton, the [Lord] Treasurer [Juxon], the Earl of Northumberland, Lord Cottington Sir Wm. Pennyman, and Sir Arthur Terringham, that there was not the least intention to land those forces in England. He went on:—And so much for the articles concerning the individual treason. To make up this constructive treason, or treason by accumulation,

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many articles are brought against me, as if in a heap of felonies or misdemeanours—for in their own conceit they reach no higher—some prolific seed, apt to produce what is treasonable, could lurk. Here I am charged to have designed the overthrow both of religion and the State. The first seemeth to have been used rather for making me odious than guilty, for there is not the least probation [proof] alleged concerning my confederacy with the Popish faction, nor could there be any indeed. Never a servant in authority beneath the King, my Master, who was more hated and maligned, and am still by these men, than myself, and that for a strict and impartial execution of the laws against them. Hence your Lordships may observe that the greater number of the witnesses used against me either from Ireland or Yorkshire are men of that religion; and for my own resolution I thank God I am ready every minute of the day to seal my disaffection to the Church of Rome with my dearest blood. But, my Lords, give me leave here to pour forth the grief of my soul before you; these proceedings against me seem extremely rigorous, and to have more of prejudice than equity, that by a supposed charge of my hypocrisy or errors in religion I should be made so monstrously odious unto three kingdoms. A great many thousand eyes have seen my accusations whose ears shall never hear that when it came to the upshot I was never accused of the same. But I have lost nothing; popular applause was ever nothing in my conceit; the uprightness, the integrity of a good conscience was and ever shall be my perpetual feast. And if I can be justified in your Lordships' judgments from this grand imputation—as I hope now I am, being [seeing] these gentlemen have thrown down the bucklers—I shall account myself justified by the whole kingdom, because by you, who are the compendium, the better part, yea, the very soul and life of the same. As to my designs about the State, I dare plead as much innocency here as in the matter of my religion. I have ever admired the wisdom of our ancestors, who have so fixed the pillars of this Monarchy that each of them keeps due measure and proportion with other, and have so handsomely tied up the nerves and sinews of the State that the straining of one may bring damage and sorrow to the whole economy. The prerogative of the Crown and the propriety of the subject have such mutual relations that this took protection from that, that foundation and nourishment from this; and as on the lute, if anything be too high or too low wound up, you have lost the harmony, so here the excess of a prerogative is oppression, of a pretended liberty in the subject disorder and anarchy. The prerogative must be used, as God doth His omnipotency, at extraordinary occasions; the laws answerable to that "potentia ligata in creaturis" must have place at all other times, and yet there must be a prerogative if there must be extraordinary occasions. The propriety of the subject is ever to be maintained if it go in equal pace with this; they are fellows and companions that have been and ever must be inseparable in a well-governed kingdom; and no way so fitting, so natural to nourish and intertex both as the frequent use of Parliaments. By this a commerce and acquaintance is kept

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between the King and the subject; this thought hath gone along with me these 14 years of my public employments, and shall, God willing, to my grave. God, his Majesty, and my own conscience, yea, all who have been accessory to my most inward thoughts and opinions, can bear me witness I ever did inculcate this:—The happiness of a kingdom consists in just poise of the King's prerogative and the subject's liberty, and that things should never be well till these went hand in hand together. I thank God for it, by my Master's favour and the prudence of my ancestors I have an estate which so interests me in the commonwealth that I have no great mind to be a slave, but a subject. Nor could I wish the cards to be shuffled over again upon hope to fall on a better set; neither did I ever keep such base mercenary thoughts as to become a pander to the tyranny, the ambition of the greatest man living. No, I have and shall ever aim at a fair but a bounded liberty, remembering always that I am a freeman, but a subject; that I have a right, but under a Monarch. But it hath been my misfortune now under my grey hairs to be charged with the mistakes of the times, which are now so high bent that all appears to them to be in the extremes for Monarchy which is not for themselves: hence it is that designs, words, yea, intentions are brought out for real demonstrations of my misdemeanours—such a multiplying glass is a prejudicated mind. The articles contain expressions and actions; my expressions either in Ireland or England, my actions either before or after these late stirs. In this order he went through the whole charge from the first to the last article, and repeated the heads of what was spoken by himself before. Only in the 28th article he added,—if that one article had been proved against him it contained more weighty matter than all the charge besides, and that it had not only been treason but villany in him to have betrayed the trust of his Majesty's army. Yet because the gentlemen had been sparing because of the times to insist upon that article,—though it might concern him much,—he would keep the same method and not utter the least expression that may seem to trouble the happy agreement interceded for, though he wished the same might deceive his expectation. Only thus much [he would say], he admired how himself, who was an incendiary in the 23rd article against the Scots, is become their confederate in the 28th, or how he could be charged at one time for betraying Newcastle and fighting with the Scots at Newburn; seeing there was no possible means to preserve the town but by hindering the passage there. That he had never advised war further than in his poor judgment might concern the very life of the King's authority and the safety and honour of this kingdom; nor saw he what advantage could be made by a war in Scotland, where nothing could be gained, but many hard blows. For his part he ever honoured that nation; but he ever wished them to live under their own climate, and had no desire they should be too well acquainted with the better soil of England; but he thought that article had been added in jest or as a supernumerary, and he very little suspected to be upon the Scots'

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confederation. He wished, as he hoped it was, that every man were as free from that imputation as himself. And then closed his defence with this speech:—My Lords, you see what may be alleged for this constructive, rather this destructive, treason. For my part, I have not the judgment to conceive that such a treason is either agreeable to the fundamental grounds of reason or law. Not of reason, for how can that be treason in the whole which is not in any of the parts? or how can that make a thing treasonable which in itself is nothing so? Nor of law, since neither statute, common law, nor practice hath from the beginning of this Government ever mentioned such a thing. And where, I pray you, my Lords, hath this fire without the least token of smoke lien hid so many hundreds of years, and now breaks forth in a violent flame to destroy me and my posterity from the earth? My Lords, do we not live by laws, and must we be punishable by them ere they be made? Far better it were to live by no law at all, but be governed by those characters of discretion and virtue stamped in us, than to put this necessity of divination upon a man and to argue [accuse] him of the breach of a law ere it be a law at all. If a waterman split his boat by grazing on an anchor, and the same hath a buoy appendant to it, he is to charge his own inobservance; but if it have none, the owner of the anchor is to repair the loss. My Lords, if this crime which they call arbitrary treason had been marked by any discernment of the law, the ignorance of the same should not excuse me; but if it be no law at all, how can it in rigour, in strictness itself condemn me? Beware you do not awake these sleeping lions by the raking up of some neglected, some moth-eaten records,—they may sometime tear you and your posterity in pieces. It was your ancestors' care to chain them up within the barrier of a statute; be not you ambitious to be more skilful, more curious than your fathers were in the art of killing. My Lords, it is my present misfortune, but for ever yours, and is not the smallest part of my grief, that not the crime of treason, but my other sins, which are exceeding many, have presented me before this bar; and except your Lordships' wisdom provide for it, may by the shedding of my blood make a way for the tracing of yours. You, your estates, your posterities lie all at the stake if such learned gentlemen as these, whose lungs are well acquainted with such proceedings, shall be started out against you: if your friends, your counsel [were] denied access to you, if your professed enemies admitted to witness against you, if every word, intention, circumstance of yours be alleged as treasonable, not because of a statute, but a consequence, a construction of law heaved up in a high rhetorical strain, and a number of supposed probabilities, I leave it to your Lordships' consideration to foresee what may be the issue of so dangerous, so recent precedencies. These gentlemen tell me they speak in defence of the commonweal against my arbitrary laws; give me leave to say that I speak in defence of the commonweal against their abitrary treason; for if this latitude be admitted, what prejudice shall follow to the King, to the country, if you and your posterity be disabled by the same

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from the greatest affairs of the kingdom! For my poor self, if it were not your Lordships' interest, and the interest of a saint in heaven, who hath left me two pledges here on earth, I should never take the pains to keep up this ruinous cottage of mine. It is laden with such infirmities that in truth I have no great pleasure to carry it longer about with me, nor could I leave it ever in a better time than this, when I hope the better part of the world would perhaps think by this my misfortune I had given a testimony of my integrity to God, my King, and country. And, I thank God, I account not the afflictions of this life comparable to the glory which is to be revealed in the world to come. Here I had something more to say, but my voice and my spirits fail me; only I do in all humility and submission cast myself before your Lordships' feet. Let me be a Pharez to keep you from shipwreck, and do not put such rocks in your own way, which no prudence nor circumspection can eschew or satisfy but by utter ruin. And whether judgment in my case—I wish it were not the case of you all—be to life or death, it shall be righteous in mine eyes, and received with a Te Deum laudamus. Now, In Te Domine confido, ne confundar in eternum. [*The above speech is printed at much greater length in Rushworth, "Trial of Strafford," pp.* 633–660*; but the version given above differs so widely from Rushworth, and contains so much new matter, it has been thought right to give it here in extenso. See also for quotations from the speech, Forster's "Life of Strafford," p.* 394, *&c. Endorsed by Nicholas:* "The Earl of Strafford's speech and repeating of his defence to the charge against him, the last day of his trial in Parliament." 6⅔ *pp.*]

April 13. Covent Garden. 29. Sir William Uvedale, Treasurer-at-Wars, to Matthew Bradley. Colonel Vavasour has procured a warrant from the Lord General for the rest of his waggon money. It must come out of the King's money, yet you must so carry the matter that he may think it must come out of the Parliament money, to prevent importunity of others. As for Doctor Denton, I wonder how he should come to this knowledge as much as you do; but in his letter he says he has it from the Secretary. I am sure neither he nor anybody else has heard it from me, for I have denied it both to the General and the King. But whatever he supposes I think he will get no warrant, he has so neglected the service. The Lord General at his going off has given many warrants for rewards: to the Advocate of the Army 100*l.* to Doctor [Thos.] Cademan 100*l.* and 60*l.* for a waggon, and divers others, as 50*l.* apiece to Mr. Scowen and yourself. I desire your opinion of these payments; my advice goes to spare the King's money as much as I can, and therefore I would pay none out of that stock but the waggon money and your 50*l.*, and let the rest go out of the Parliament money. Doctor Cademan desires to receive 100*l.* of this money here, and that his son may receive the 60*l.* for his waggon there; and if you will put it into this way he will give you 5*l.* for your despatch. The warrants must be sent down for his son's hand, and the 100*l.* I shall pay here on a return from you, though my stock of money is now low, and I desire no more moneys be returned upon

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1641. me till you hear from me. Davenant is paid his 40*l.*, Colonel Goring is paid here only for this last month's pay, from December 8 to January 5, as Colonel of the first Bragado [brigade] and Colonel and Captain of a regiment. You have a remainder of 2,000*l.* in your hands of the Parliament moneys that came last to you now; and of the former 4,000*l.* I desire to know whether you mean this 4,000*l.* to be Parliament money or the King's; it lights so right upon the sum that it makes me doubtful. Touching Lord Barrymore's business I cannot possibly by this post return you any answer, for the Lord [General] being at Sion, and Mr. Scowen not going thither at this time, has put by all my means to present it. Perhaps my Lord [General] may be courteous now at his going off, the Earl of Holland being declared our General, but his commission is not yet under seal. Captain Crofts and Captain Porter are left out of Sir Jacob Ashley's warrant; but look whether the new captains be not put in, for if they be there will be a double payment, for their pay is to begin from the 5th of January. Our new General talks of coming down as soon as we can get money, which we are fairly promised from the City, and therefore it cannot be long before we meet. [4 *pp.*]

April 13. 30. Certificate by William Gwynn, Auditor, of the fines and customs of the tenants of the manors of Crowland, Holbeach, Whaplode, and Epworth, in co. Lincoln, for the past seven years. Total, 605*l.* 3*s.* 6*d.* The copyhold tenants of the manors of Spalding and Moulton, co. Lincoln, pretend to have their fines certain. The fines of the copyholds in Barrow and Goxhill manors the tenants were wont to keep in their hands towards the repair of their banks against the Humber; but there is a stay of admittances by warrant from her Majesty's Council within those manors, as I am informed, and also of Barton manor. [¾ *p.*]

April 13. 31. Certificate by Justinian Povey, Auditor, of the arrears of all the Greenwax due and unpaid to her Majesty in the 9, 10, and 11 years of the reign of Charles I, in the following counties: Lincoln, Norfolk, Oxford, Berks, Notts, Derby, Beds, Bucks, Suffolk, Cambridge, and Huntingdon, Surrey, Middlesex, Herts, York, Wilts, Hants, Hereford, Gloucester, and Warwick. Total 13,982*l.* 17*s.* 11*d.* *Underwritten,*

31. I. *These arrearages are granted unto Mr. Arpe, Provider of her Majesty's Robes.*

31. II. *This certificate is made by warrant from the Queen's Commissioners, dated March* 29, 1641. *Examined by Justinian Povey, Auditor, April* 13, 1641. [12 *pp.*]

April 14. 32. Certificate of Richard Harison and William Barker, two of the Commissioners for assessing and taxing the two first subsidies of the four entire subsidies granted to the King by the present Parliament. That Sir Francis Windebank is assessed and taxed towards the payment of the first two subsidies in the parish of Clewer, in Ripplesmere hundred, in the Forest division of co. Berks, and the assessment has been paid. [⅔ *p.*]

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April 14. 33. Bill of Thos. Dennis for haberdashery, amounting to 1*l.* 5*s.*, besides which, for making the suit, 6*s.* [=½ *p.*]

April 15. 34. Petition of Henry Earl of Danby to the Lords Commissioners of her Majesty's revenue. Petitioner is tenant to her Majesty of Blandesby Park, in the honour of Pickering, co. York, part of her Majesty's jointure, in the last demise whereof are about seven years yet unexpired. He prays a new lease of the park and appurtenances to him or his assigns for such term of years or lives, and on such reasonable conditions, as to your Honours shall seem meet. *Underwritten,*

34. I. *Mem. by Nathaniel Tomkyns that Robert Long, her Majesty's Surveyor General, is desired by the Board to certify the value of the premises. Denmark House,* 15 *April* 1641. [⅔ *p.*]

April 15. 35. Account by Richard Hollings of the Recusants' Revenues for the South, from Michaelmas, 1639, to Michaelmas, 1640. Total, 4,680*l.* 17*s.* 3½*d.*, whereof is issued 4,131*l.* 18*s.* 8½*d.*; in hand, 548*l.* 18*s.* 7*d.* Also statement of what is to be paid into the Exchequer to clear the aforesaid account. [1⅔ *pp.*]

[April 15.] 36. Questions submitted [in the House of Lords] concerning the Earl of Strafford's trial. 1. So many of your Lordships as are of opinion that the going by way of Bill in the discussing of the matter of fact in this whole cause that the rule shall be the persuasion of every man's conscience, say Content; so many as [are] not of this opinion, say Not content. Voted upon the question, Content. 2. Whether the Earl of Strafford did give warrant for the sessing of soldiers in Ireland upon men's lands, and that the same was executed accordingly. Voted upon the question, He did. 3. That the soldiers were sessed for disobeying the Earl of Strafford's orders in causes grounded upon paper petitions between party and party and against their consents. Voted upon the question, It was so. 4. Soldiers sessed with arms in a warlike manner. Voted, It was so. 5. Sessing of soldiers with arms, and an officer to conduct them. Voted, It was so. [*Probably April* 15, 1641; *see Lords' Journal, IV. pp.* 217, 218. 1 *p.*]

April ¹⁶/₂₆. Paris. 37. Sir Francis Windebank to [the King]. I have received a signification of your Majesty's pleasure to declare, upon my allegiance to your Majesty, whether, in a debate in Council at a Committee about a defensive and offensive war with the Scots, I remember that the Lord Lieutenant of Ireland did say, that having tried the affections of your people, you were absolved from all rules of government, and were to do everything that power would admit, since your subjects had denied to supply you; and that in so doing you should be acquitted both of God and man; and that your Majesty had an army in Ireland which you might employ to reduce this kingdom to obedience. To which, upon my allegiance to your Majesty, I do most humbly make this clear and true answer, that having been no indiligent observer, which your Majesty may well remember, of what

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passed in debate from time to time in Council at the Committee about a defensive and offensive war with the Scots, I do not remember that my Lord Lieutenant of Ireland did say the words above mentioned, or any other to that purpose; being confident that in a business so remarkable and of so great moment I could not but have remembered them if they had been spoken. And further I do as clearly testify that until the charge lately laid upon the Lord Lieutenant of Ireland, I do not remember that ever I so much as heard the least speech that the army in Ireland was to be employed to reduce the kingdom of England to obedience; and either I misunderstood the sense of the Committee from time to time, or else the consultations of the Committee concerning the disposing and employing of the Irish army did ever bend wholly another way. [2 *pp.*]

[April 16?] 38. Note of fees due to the officers in the Upper House of Parliament for the Bill that has passed that House for the confirmation of the Queen's jointure. Total, 19*l.* 3*s.* 4*d.* [*Endorsed by Sir John Lambe:* "Queen's Bill due to the clerks of the Parliament." ½ *p.*]

[April 16?] 39. Petition of the Master and Wardens of the Bricklayers' Company to the House of Commons. After reciting the ordinances of 17 Edward IV. and 10 Elizabeth for regulating the making of bricks and tiles, they pray for an assize of brick and tile according to those ordinances, that the Master and Wardens or their deputies may search for any defaults and offences, and finding any may make entry thereof in some court of their company within a month: that everyone offending in making or selling brick, tile, lime, or sand shall forfeit for every 1,000 bricks or plain tiles, 3*s.* 4*d.*; for 100 roof, gutter, or corner tiles, 6*d.*; for every load of sand, 3*d.*; and for every 100 of lime, 12*d.*: that for their great pains in searching they may have for bricks, &c. put to sale in London or within 15 miles, for every 1,000 bricks, ½*d.*; for 1,000 plain tiles, 1*d.*; for 100 roof corner, or gutter tiles, ½*d.*; for every load of sand, ¼*d.*; and every 100 of lime, ½*d.*: and in every action or distress for debt, one moiety of the fines to go to them, the other to the King. [*Printed.* 1 *p.*]

April $\frac{16}{26}$. Paris. 40. Robert Read to [Thomas Windebank]. I am still of opinion that the Act of Council was left in the trunk of secret papers or in my uncle's black box; for those other Scottish papers which were above in my study at Whitehall were but ordinary things. However I am sure Mr. Treasurer [Vane] had a copy of it sent him into the North, for I transcribed it. I am very glad to hear my Lord of Strafford is like to speed so well, and so I hope is every good Christian; for I cannot believe that any man professing Christianity can desire the death of an innocent person, since we know that He by whom we are Christians desires not the death of a sinner. I thank you for your favourable remembrance of me in my own particular: I desire not the prejudice of any person, but if they must be prejudiced and others advantaged by it, I know no reason why I

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should not pretend as well as another. A living must be had one way or other. [1 *p.*]

April $\frac{1}{2}\frac{7}{7}$. The Hague. 41. Sir William Boswell to the King. By command of the Queen [of Bohemia], your sister, having had divers conferences with the Portugal Ambassador here, Don Tristran de Mendoza Furtado, in pursuit of frequent professions he had made of his disposition and power to do her Majesty and the Palatine family good service, I waited on her Majesty at a private audience she gave him: when he put a proposition into her Majesty's hand, which she transmits in her own letters to your Majesty; accompanying it with verbal explanation of divers points arising from it. Of which I have given this brief account with so much the better confidence, because I observe it proceeds in a most respectful manner from a handsome hand; tends to a good end; is like to prove of excellent effect in the Prince Elector's behalf; tacitly to open a way of obliging the Portuguese to your Majesty; no way to engage you to any rupture with Spain and the House of Austria; but is apparently feasible in itself; and possible without any very great cost or inconvenience to your Majesty. All which I do most humbly submit unto your majesty's royal goodness and wisdom, only adding that the Ambassador,—having oft implied to her Majesty and myself how much his master, the new King, and himself desired your friendship above all others,—bewrayed withal that he would enlarge himself very far to gain the same when he should understand your Majesty's gracious pleasure and acceptation hereof. [3 *pp.*]

April $\frac{1}{2}\frac{7}{7}$. The Hague. 42. Elizabeth Queen of Bohemia to the same. By what I write now to my son, and what Sir Wm. Boswell writes to you, you will see what has passed betwixt the Portugal Ambassador and me. I enclose his proposition, of which I humbly beseech you let me receive your pleasure; and if you like it, I beseech you commission Sir William Boswell to treat with him about it. I chose rather to send him to the Ambassador than one of my own, because his being your servant did carry the greater countenance and make the Ambassador the more free with him, though he went in my name. I like these propositions the better because they will put you to less charges than any other way. The Ambassador beseeches you none as yet may know it but yourself; I only acquaint Sir Henry Vane with it. I beseech you to do in this as you think will be best for my son, for next to God I do rely upon you. The Ambassador says you need not break with Spain for this time, all may be done in your nephew's name; neither can I think it will hurt the treaty at Ratisbon, but rather make it better, when they shall see my son in posture to hurt them. [2 *pp.*]

April $\frac{1}{2}\frac{7}{7}$. The Hague. 43. The same to Sec. Vane. To the same effect as the above concerning the Portuguese Ambassador's proposition. I forgot in my letter to the King to beseech him if he like the project to write to the Prince of Orange an effectual letter to give all the assistance he can about it to the States, and that Sir William Boswell may

deliver it. If it be written with his own hand it will be the better. [*Two seals with arms and coronet.* 1 *p.*]

April 17. 44. Order of the House of Lords for quieting his Majesty's possessions in the fens, co. Lincoln. *Endorsed*: "Copy of the order of the Lords of Parliament concerning our possessions in the West fen." [*Printed in the Lords' Journal, IV. p.* 220. ¾ *p.*]

April 17. 45. Commission from Henry Earl of Holland, "Captain General of his Majesty's army imployed in this present expedition," to Thomas Salter. Appointing him ensign of the foot company, whereof Lieutenant-Colonel Henry Waites is Captain, in Colonel Henry Wentworth's regiment. [*Paper seal, with arms, coronet, and supporters. Strip of parchment.*]

April 17. Rothwell. 46. [Sir John Lambe] to William Viscount Say and Sele. I should not presume to be thus troublesome to your Honour but in case of necessity, nor then but in a just cause. Upon extremity of my sickness both of body and mind the Lords were pleased to give me leave to repair into the country for recovery of my health, as in the inclosed, till the 5th of May next: yet on Monday the 12th of April, when I was gone, Dr. [Walter] Walker moved and got the 1,250*l.* formerly allowed for his damages by the Lords Committees confirmed or voted to him in the House [of Lords] [*see Journals, IV. p.* 214] in my absence and without any warning given me. This I will hope was not the meaning of the Lords, to give me leave to be absent and to do me so great a prejudice the whiles, if they had remembered the order. That my cause is just it is thus: 10 or 11 years since Walker got a patent of my commissaryship of Leicester over my head, supposing an error in my grant; he sued at law, and I had orders in Chancery to continue my possession. He got a judgment by a mistake in the special verdict, and I brought a writ of error which yet depends; so in 1632 the suits rested. He became Commissary of Bedford and I continued my place at Leicester, till now by order of the Lords I have left it. Five years after, 1637, he surrendered up his patent to me, and released all suits, judgments, damages, and demands whatsoever; and this freely of himself sealed and delivered ere he came at me, and ere I knew it. But that which he urged to the Lords Committees, and they then apprehended was, that I got the King to stay the proceedings of the law till the Star Chamber suits were ended, whereby he had great loss in his charges: all which cannot help him to a penny, for were his patent and right to the office never so good, as indeed it was not, yet he might surrender it; and if he had ten times as great damages he might release them, and he did so five years after. It may be said I did ill in getting the King to stay the course of justice; be it so; and that I may be punished, but not to him; he hath released all, and I have now lost the office, which is some punishment. My good Lord, I hold you just, that love right, which makes me fly to you. I can claim no favour, for I think your Lordship never heard of me, other than ill, till this Parliament, and now by

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many clamours, though untrue. But if I were as bad, and worse, yet I ought to have right, which I humbly beseech your Honour for God's sake, for your own sake, and for justice sake be a means in what you can to help me to. P.S.—In hope of good recovery. [*Draft written on the cover of a letter addressed to Sir John Lambe, with a seal and device.* 1 *p.*]

[April 17.] 47. Notes in Sir John Lambe's handwriting of the answer returned to Dr. Walker's petition; containing the information embodied in the above letter. Bishop Williams of Lincoln about 1630 granted to his man Walker a patent of my office of Commissary of Leicester, which I had held during two bishops' times before his and for ten years in his time, and was confirmed in by the Dean and Chapter. Hereupon grew long suits, the particulars of which are here given. [1 *p.*]

April 19. Whitehall. 48. Queen Henrietta Maria to Sir Richard Wynne, her Treasurer and Receiver General. Warrant to pay to Robert Long, her Majesty's Surveyor General, such moneys as the Commissioners for her Majesty's revenue shall from time to time order to be expended for disafforesting and improving the forests of Pickering and Knaresborough and Blandsby Park, co. York. The whole benefit to be made by the disafforestation and improvement of those lands the King having bestowed on her Majesty by his letters of the 18th March last. [*Signed but not sealed.* 1 *p.*]

[April 19.] 49. Petition of Leonard Pinckney, Commissary General of Victuals for his Majesty's army in the North, to Algernon Earl of Northumberland, Lord Admiral of England. Petitioner obtained a Privy Seal for the putting to sale of all the provisions in his Majesty's magazines at York and Kingston-on-Hull for his Majesty's best advantage, which he has accordingly done and sold to Thomas Radbeard and others with condition of transportation to be granted them from you, without which they could not possibly have been sold. So the undermentioned provisions being sold by order of the office of the Navy, Mincing Lane, the 13th of April, and speedily to be delivered to the contractors according to the articles of agreement, viz., 500 hogsheads of beef, 800 weigh of cheese, 150 barrels of oatmeal, five hundred thousand weight of biscuit, 30 barrels of peas, petitioner craves that speedy transportation may be granted to the contractors, and for which he has given security for the performance of covenants accordingly. [1 *p.*]

[April 19.] 50. Another copy of the same, but addressed to the Council. [1 *p.*]

April 19. 51. Petition of the same to the same. Petitioner, for same reason as above, has sold to William Harris, John Swaile, and Mr. Wilson of London, cheesemongers, 1,200 firkins of butter at 12*d.* in each firkin advantage, with condition of transportation to be obtained from you, and without which they could not possibly have been sold, being much wasted and decayed; which butter is to be

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delivered according to agreement. Petitioner prays that licence for transportation may accordingly be granted to the persons above named. *Underwritten,*

51. I. *Note by the Earl of Northumberland, as Lord High Admiral: For the reasons contained in these two petitions, I conceive it necessary that letters of transportation be forthwith granted to the parties therein mentioned, according to the contract made with them by virtue of his Majesty's Privy Seal for the speedy sale of the said provisions, the buyers thereof having for that cause given a greater rate for the same than otherwise they would, and for performance of covenants given good security. Sion, 19th of April,* 1641. [1 *p.*]

April 19. 52. Another copy of the same, but addressed to the Council. [1 *p.*]

April 19. Oxford. 53. Humphrey Hawkins to Richard Harvey. I understand by you that my answer is expected that Mr. La Mence may consummate the business. As in this, so in all things, I shall ever refer myself to be ordered by my most noble friend, Mr. Porter, and whatsoever he shall direct Mr. La Mence to do I shall most humbly subscribe to it. I am newly crawled from the brink of the grave. [*Seal with device.* ⅔ *p.*]

April 19. 54. Certificate by Sir Edmund Sawyer of the amount of fines, taken on the average of the past seven years, paid to the Queen in the undermentioned manors: made by warrant from Sir John Lambe and others, her Majesty's Commissioners, dated March 1, 1640[–1]. Surrey:—Manor of Chertsey, 117*s.* 7½*d.*; Egham, 25*l.* 10*s.* 3½*d.*; Richmond, 98*l.* 5*s.* 4*d.*; co. Bedford:—Manor of Millbrook, 45*s.* 9*d.*; Ampthill, 23*s.* 2½*d.*; Steppingley, 9*s.* 6¼*d.* [*Endorsed:* "Sir Edmund Sawyer's certificate of the arbitrable fines of copyholders." ¾ *p.*]

April 19. London. 55. Letters patent of Sir John Borough, Garter King-at-Arms, confirming to Sir Edward Littleton, created Baron Littleton of Munslow, the coat of arms sketched at the head of this paper in pencil, to be used by him, with supporters as appropriate to his rank. [*Latin.* 3 *pp.*]

April 20. Whitehall. 56. Sir John Wintour, Secretary and Master of Requests to the Queen, to Sir Thomas Hatton, Sir Charles Harbord, and Robert Long. It is her Majesty's pleasure that with all expedition you prosecute her service in ascertaining the arbitrary fines of copyholders within the manors in jointure to her Majesty, attending Lord Treasurer [Juxon], Lord Cottington, and Lord Barrett therein according as there shall be occasion for such warrants, directions, or commissions to be issued out by them for the accomplishment of that service as you shall judge fit; and after such obtained that you put the same forthwith in execution. P.S.—I hold it very necessary for her Majesty's service that while the commissions are drawing you prepare surveys or any other things necessary for the

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despatch of this business. [*Endorsed by Robert Long:* "Received from Mr. Sec. Wintour about compounding for the arbitrable fines of copyholders: directed to Sir Charles Harbord, Sir Thomas Hatton, and myself." 1 *p.*]

April 20. 57. Information concerning John Denison, a minister. He did assist one who lately was apprentice to Mr. Anthony Biddulph, of this city, merchant, in robbing his said master of 500*l.*, whereof Denison had for his part 215*l.*, which himself confessed before several witnesses upon his examination; and being apprehended, and brought before Justice Shephard and examined, he there produced a protection which Lord Lovelace had given him; yet the Justice, considering the heinousness of his crime, did then commit him to prison, his warrant importing that he was found accessory to the robbing of Mr. Biddulph. But the next day the Justice, having been sent to by Lord Lovelace, discharged Denison and set him at liberty, and being demanded the reason, said he durst not keep one in prison who was protected by a Baron in time of Parliament. Afterwards Lord Lovelace, being expostulated with by a member of the House of Commons, and the wickedness of Denison in this and many other notorious crimes being represented to him, he answered that he had protected him and would maintain his protection. Denison forthwith, after he got at liberty, fled beyond sea; also it is conceived that he was not chaplain to the said lord, as is intimated in the protection. These things happened about the 18th or 20th of April last, 1641. Sufficient proof of these particulars will be made if you send to the Saracen's Head, by the Great Conduit in the lower end of Cheapside, to Thomas Whitley. [1 *p.*]

April 20. Covent Garden. 58. Sir William Uvedale, Treasurer-at-Wars, to Matthew Bradley. I like your advice that the new warrants of rewards may lie by until we come to make up the accounts, and then we may place them upon either the King or Parliament as we shall see cause. The last 36,000*l.*, though you call it out of the Exchequer, is Parliament money, and I have sent you a note of it as perfect as time would give me leave to make it. I perceive the 6,000*l.* in your hands is the most part of it the King's money, only 2,000*l.* the Parliament's. I do not doubt but you are much importuned to lend the officers money, which I know you will be as sparing as may be to do. We are passing another Bill of subsidies, and as soon as that is done, and the Earl of Strafford's business finished, we shall have more moneys; until then you must look for none. For your warrant of Lord Barrymore's, Mr. Scowen has promised me it shall be done. By this post you cannot have it, but by the next if it be to be done. Meantime take a good course to make a stoppage of it, by Sir Jacob Ashley, to whom the Earl of Holland has sent his warrant to continue issuing the moneys. I am commanded by the King to certify him what day the Earl of Ettrick, Governor of Edinburgh Castle, entered into pay with you there, and what day his pay ended, whereof, I pray, fail me not by the next return. I am also desired by a very dear

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friend of mine, Sir Edmund Verney, to return hither from his son, Captain Verney, 40*l.*, which if you will receive there from him I will pay it here, and put it on the next account. My Lord of Holland talks of coming down to the army very suddenly, and hopes to get credit there to clothe the soldiers by the means of Sir Arthur Ingram. I shall not come with him unless we can get here at least two months' pay, and if that may be had, then you may look for me. The young Prince of Orange is received this day at Court, and we are all commanded to attend there. P.S.—One Capt. Herbert hath brought a letter from you; I think I shall lend him upon it one month's pay. He is of Sir John Merrick's regiment. I have written also to Leech to deliver you the 30*l.* he hath defalked from Sergeant-Major Brockett and the 20*l.* from Captain Cary. [*Dated* 23 *April* 1640, *but endorsed by Bradley* 20 *Apr.* 1641, *which appears to be correct.* [3 *pp.*] *Enclosed,*

58. I. *Note of the* 36,000*l. received by him of the Parliament money, being part of the* 50,000*l for payment of the army, and the way in which it has been disposed of.* [1 *p.*]

April 21. Salisbury Close. 59. Richard Green to Nicholas. I have been this day at Wherwell and received your rents for Wherwell, Bullington, and Tufton. Farmer Poore met me there, but would give but 29*l.* per annum for Westover; yet after much debate he was contented to give the full rent for this year, if yourself and Mr. Ashburnham shall not ease him, and for after years he will defer till he has spoken with you. For Fullerton I hear not from Mr. Milles, neither have I any other chapman for it as yet. There will be occasion of your directions in divers things, principally for preservation of your wood, which is so miserably destroyed with the conies that it grieves me to see. Mr. Thornborough kills abundance, and now, being a special time, follows it very hard; but I am persuaded, unless Lady de la Warr direct some other course in her woods also, it is not possible to preserve your wood in any measure, or to make the wood or land adjoining of any considerable profit, whereof your tenant Mr. Thornborough is very sensible. The fishing I let for 3*l.*, but the tenants complain they cannot enjoy it according to the lease, but some interrupt and some fish with them, pretending titles. They were all well yesterday at Sarum. *Dorso by Nicholas,*

59. I. *Memorand. that this 3rd of May* 1641 *there was* 6*d. tendered by Mr. E*[*dward*] *N*[*icholas*], *Clerk of the Council, assignee of the within-named Mr. John Ash*[*burnham*], *to the use of Richard Sherp, according to an especial proviso contained in the lease, whereby the said lease is become totally void.* [*Seal with crest.* 1 *p.*]

April 21. 60. Speech of Lord Digby in the House of Commons to the Bill of attainder of the Earl of Strafford. [*Printed in Rushworth V.* 225. *Printed pamphlet.* 12 *pp.*]

April 21. 61. Certificate of Peter Heywood, J.P. for Westminster, to the Council. That Thos. Maning, of Wadham College, Oxford, gent.,

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has voluntarily taken the Oath of Allegiance before him this day. [½ *p.*]

April 22. 62. Nathaniel Tomkyns to [Sir John Lambe]. I am very glad you find your health so well amended by the fresh air of the country. I will begin with her Majesty's affairs, because you will desire to understand what passed at the meeting of the Queen's Council last Thursday, where there was a greater appearance than I expected, six or seven commissioners, divers auditors and receivers, who passed such accounts as were undeclared at the former meetings. There was besides a long debate concerning the ascertaining of the copyhold fines in all the manors of her Majesty's jointure, at the first proposal whereof you were present: the determination was that warrants should first be obtained from both their Majesties, and then such commissions as should be requisite should be sued forth of the Exchequer and Court of Duchy to divers commissioners, with whose names I think it not pertinent to trouble you, one of their Majesties' surveyors being always one. Another order was made that the commission for surveying the bailiwick of St. James-in-the-Fields should be renewed, which if it require haste I shall send you next Thursday for the Great Seal with wax fit to seal it; but otherwise I shall let it rest till your return. I presented to them the bill of fees delivered me by the Clerk of the Parliament for passing the Queen's jointure in the Higher House [*see April* 16, *No.* 38], and Sir Thomas Hatton, for whom I got also an order from them concerning the improvement at Somersham, spake in their behalf, as he promised me he would; and the Board were inclined to sign it until Mr. Attorney gave a delay therein by saying that when it passed at the last convention the King and Queen both told him the Clerk should not have any fee for the Queen's business; but that they should in the end have a gratuity for their pains. I took the boldness to plead earnestly herein in regard when we took forth your order for leave I faithfully promised them to get the bill signed; but all I could say was in vain: since when they have much reproached me, and are very clamorous against all the Queen's Council, and will certainly do any of them a mischief if it lie in their power. Yesterday afternoon both Houses sat, and after much debate, and twice dividing, the House of Commons, though the opposers were far the less number, the Bill against the Earl of Strafford was sent up to the Lords, who sat on purpose, for it was six o'clock at night before it was presented; and myself going in with the throng observed that some of the Earl's friends in that House looked sadly on it. They have appointed Saturday, Easter Eve, to hear the lawyers of the Commons' House prove those several heads to be treason wherewith he is charged. Those who are most his friends begin to doubt the worst, and that his Majesty will be put to a very great strait, and in a manner necessitated to do that in the Earl's case which is so much against his heart. I have lost two or three days in attending the Parliament touching a business of great moment much concerning a near friend of mine. I purpose to enter your order of the Commons' House for the discharge of your contempt, and will again confer with the

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Sergeant and pay his man, if Sir Henry Anderson and other friends so advise, who I am sure will take such care of you that you need not think of returning until the time required by the Lords' order, the general business of both Houses being not yet ended. Yesternight, so soon as yours of the 17th inst. came to my hands, I took the enclosed [*see April* 17, *No.* 46], to my Lord Say's house, adjoining Brook House, near us in Holborn; and understanding his Lordship had come not well from the Parliament, and gone to bed at 3 o'clock [in the] afternoon, I left it with a nephew of my wife's, Mr. James Kyrle, who waits on his Lordship in his chamber, and has undertaken to deliver it and give me an account thereof. [2 *pp.*]

April 22 and 23. 63. Memorandum by Alexander Rigby, that at my departure from London I delivered to Mr. Prynne, upon the 22nd and 23rd days of April, 1641, seven-and-thirty several parcels of writings, figured with so many figures, which he is to redeliver to me at my return, that I may keep them for the right owners. These writings concerned the proceedings against Mr. Bastwick, Mr. Burton, and Mr. Prynne. [1 *p.*]

April 23. / May 3. Paris. 64. Sir Francis Windebank to [his son, Thomas Windebank]. Your letters of April 15 are very welcome to me, both for themselves and the comfort they bring of your mother's and your health. But I am not a little troubled to find you had received none of mine that week. The letters that should have come to you were of the $\frac{9}{19}$ April, and were sent hence under my Lord Ambassador's [Robert Earl of Leicester] cover directed to Mr. Sec. Vane, which I have hitherto found the surest way. How they are come to miscarry now I do not understand, presuming that Witherings, though he want no malice to betray anything that may fall into his hands concerning me, yet dares not intercept any packet addressed to Mr. Treasurer, as this was. Time may perhaps clear this business, though your mother's and your trouble set aside in not having heard from me, which I consider by mine own upon the like occasion, I do not care into what hands my letters may have fallen. I remember well I then sent you a letter for the Queen in acknowledgment of the gracious remembrance her Majesty vouchsafed me by Mr. Mountague, which was all of moment to you from me at that time. I think likewise there was a letter of attorney then sent you to enable you to receive my rents and any moneys else due to me. Last week I sent by the same way a letter to his Majesty [*see April* 16, *No.* 37], with a duplicate of it to you, concerning the business wherein you had signified his Majesty's pleasure to me. I hope if that have fallen into other hands they will not dare to keep back that which was directed to his Majesty, whatsoever became of the rest. Since my last, Robin has been very ill and let blood, but I thank God is somewhat better. His servant Pharamond has been likewise in some indisposition, and upon opening a vein has found much ease. Myself am hitherto the most valiant, though I have the greatest cause of distemper. I am in my new lodging, but nothing pleased with it, nor do I think to stay in

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it beyond the month for which I hired it. P.S.—I have written to Mr. Treasurer concerning the board wages. I would have solicited my Lord Steward for these moneys, but that I consider the great weight of business that lies upon him, and I rather wish you to make your addresses to my Lady of Arundell, and humbly desire her ladyship to mediate for me to my Lord, with my most humble remembrance to them both. [2 *pp.*]

April 23. / May 3. Paris. 65. Robert Read to [the same]. I infinitely wonder how our letters of the $\frac{9}{19}$th should miscarry, since they were sent by the same way that has been hitherto so sure. But the world grows every day worse and worse, and is so full of deceit and malice that I think there will be no living shortly for an honest man in it. Perhaps Witherings has met with it again; if he have, my comfort is that no better fortune will befal him in that than usually does to harkeners who never hear good of themselves: yet methinks, since the House of Parliament were more noble than to countenance him in his last unworthiness of that kind, he should not have much courage to do it again. Since last week I have been much indisposed with an ague or fever or both, but I thank God I am upon recovery. I purpose to send you another letter of attorney, though I am in hope that the former, together with the letters, may yet be come to your hands. If last week's letters should have been likewise miscarried, somebody must be called to account for it, for you know what business of consequence it contained. P.S.—The letters could not fall into any other hands than Mr. Treasurer's or Witherings', and therefore must be demanded of one of them. [1 *p.*]

April 23. / May 3. Paris. 66. The same to [the same]. Has found another way of sending letters, which he advises his cousin also to use. They do not like their new lodging, and have been to see another, where they will probably settle till they know what will become of them in England. I am very much beholding to Dr. Davison, who has been very diligent with me in my sickness, and is otherwise very useful to us. [1 *p.*]

April 23. 67. Memorandum by Nicholas. The King this 23rd of April, 1641, commanded me to leave this warrant to be dated when Mr. Henry Percy should give notice. [2 *lines.*]

April 24. Covent Garden. 68. Sir William Uvedale, Treasurer-at-Wars, to Matthew Bradley. In answer to yours of April 23, I would only advise you to write a civil letter to Mr. Scowen, touching your own warrant, for I find the Earl of Holland purposes to use his own secretary, Mr. Lucas, in this service, and that Mr. Scowen's employment will cease; and I would wish a fair going off betwixt you. You have put the last moneys sent down, I mean the 36,000*l.* and the moneys returned, upon a just account, and I purpose before the next return to compare them with my books here. For money the case stands thus—but this I recommend to yourself only—the Parliament is taking care for it, but I believe there will be none had till the Earl

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of Strafford's business is despatched, which now depends in the Lords' House, we having passed a Bill of attainder against him. Lord Barrymore's warrant I have sent you, signed by my Lord of Northumberland. I have acquainted Sir Nicholas Selwin he must expect no money here, but he tells me he is to go down to the army, and then he will make his reckonings even; and for the former reckonings betwixt him and Leech and you, I shall presently settle a course in it that you may have your acquittances up again. As for Doctor Cademan's business and Captain Verney's, when their warrants come, and the Captain's money is paid, it shall be ordered as you think good. I am glad the soldier is so well pleased with the hope of clothing; I hope it will be done, and that that hope will stay them together, for I do not see that things go so here but that we may have use for them. The news of Leslie's fortifying Darlington, and bringing his ordnance thither unto the side of the Tees, I like not, I confess. It behoves us to stand upon our guard, which God send your commanders careful of. Let me hear by the next how Leslie goes forward with this purpose. [2 *pp.*]

April 24. Whitehall. 69. The King to Francis Lord Cottington. Warrant to be absent from Parliament on account of ill health, provided he give his proxy to some one who may for him and in his name give his voice and consent to the matters to be treated and concluded in the Parliament. Given under the sign manual at Whitehall. [*Dorso:* "Proxy to the Lord Goring, 27th April, 1641." 1 *p.*]

April 24. 70. Note of payments made by writs of Privy Seal and other warrants during Michaelmas term, 1640. Total, 68,361*l.* 19*s.*; balance remaining in hand under date, 858*l.* 4*s.* 4*d.* [2½ *pp.*]

April 25. London House. 71. Warrant of Lord Treasurer Juxon. By virtue of an order of the Board of the 22nd inst. I hereby require you to suffer William Harris, John Swale, and William Wilson of this city, cheesemongers, to transport beyond seas 1,200 firkins of butter without molestation. [*Copy.* ½ *p.*]

April 26. May 6. Paris. 72. Sec. Windebank to his son, Thomas Windebank. My Lord Ambassador [the Earl of Leicester's] sudden repair into England, and this gentleman, Mr. Alesbury's, friendly offer to see you and to do me courtesies there, hath brought you these. You must not fail to attend my Lord of Leicester as soon as you may, and to acknowledge his great favours to me. You shall do well likewise to be an humble suitor to the Queen in my name, that she will be pleased to take notice to my Lord of the fair and noble treatment I have received from him for her Majesty's sake and upon her recommendation, and this you may do at some time when my Lord may be present, and be sure it may not be forgotten. If you can be of any use to Mr. Alesbury I pray you be ready to serve him, and let him know you will be so in acknowledgment of his love to me. P.S.—Robin has been in some distemper again, and has been let blood the second time; but is not otherwise very ill, though not well. [*Seal with arms and crest.* 1 *p.*]

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April 26. The Anne Percy in the Downs.

73. Capt. Robert Slingesby to [Algernon Earl of Northumberland, Lord Admiral]. This morning Capt. Wake came into the Downs, bringing with him a convoy from Dunkirk, amongst which Benjamin Bingley, in a barque of London, bound for London with goods for English merchants, straggled a little from him, and in the night a sloop of Calais came aboard of him, first discharging a volley of small shot into him, and then entered him, wounding and beating the men, stowed most of them; the master suddenly cut the halyards of his mainyard, whereby Capt. Wake had opportunity to man both his boats with musketeers, to send to her rescue before they could carry her away, in the meantime discharging some pieces of ordnance at them. The Frenchmen, perceiving that they could not carry her off, betook themselves to their own vessel, but before they went, one of them drew a cutlass, telling the master that since they could not have her, he should reap no good of her, and therewith thrust him through the body, that he fell down dead. The same vessel not many hours before attempted a pink (coming from Dunkirk to the Downs for convoy) at the south end of the Goodwin, but finding him hotter than he expected gave him over. These Calais sloops come daily and nightly into the Downs, and keep us in continual vigilance, lest they should take some out of the Road in the night. Their insolencies are so great, and so frequent, that if they continue a little longer in the conceit of impunity I think they will very shortly presume to rifle villages on the shore, since already they make no distinction between English laden with free goods and strangers with ammunition. [1½ *pp.*]

April 26. Exeter.

74. Nathaniel Tomkyns [Prebendary of Worcester] to [Sir John Lambe]. Nothing has been done in the Queen's affairs since my last. Mr. Jermyn sent one day to me to know where you were, that he might [send] a lease sealed lately passed to Mrs. Howard. There is a difference at present betwixt the two Houses of Parliament, touching the Commons' desire, now that the Bill against the Earl of Strafford is presented up, to sit at the hearing of his counsel as co-judges with the Lords with their hats on, to which the Lords not assenting, the Commons are now content to sit as they did in Westminster Hall uncovered, if so be that the Lords will please to come as a Committee without their robes: to which the Lords, having not yet yielded, the controversy is not yet ended. Besides, Sir Henry Vane's deposition touching the Earl of Strafford is lost by the Clerk of the Higher House, who cannot give any account how it went out of his hands: and in a copy thereof since found great difference is found in the sense by the altering or rather by the adding of one letter "t," for whereas it was in the original that the Earl should say "His Majesty might by the Irish army reduce the Kingdom *here*," &c., it is "*there*" in this copy, and so refers to Ireland only. Another paper touching Sir Henry Vane also is lost by the Select Committee of the Lower House, it lying upon Mr. Pym's table when five others were present, viz., Lord Digby, Sir Walter Erle, Sir John Clotworthy, Mr. Hampden, and Mr. Maynard, which occasioned a variance and reproaching one another publicly, every one

1641. making their several protestations of being guiltless therein. The suspicion fell most on Lord Digby, who was last in the chamber, and had said to some of them that Mr. Pym should do well to have more care of his papers than to let them lie so loose, &c. The lord protested his own innocence, and said it must be some unworthy man who had his eye upon place and preferment, wherein he was supposed to allude to Mr. Pym himself, who has been with the King twice of late, and since the Lord Cottington laid his offices at the King's feet, is designed by the voice of the people to be his successor in the Chancellorship of the Exchequer. This is but as a subdivision of the Committee, but the whole House is not without division. After my Lord Digby had made his speech for the Earl of Strafford, the next day 10 of the precise party made speeches against several parts thereof. Mr. White did his lordship most service in helping to explain and excuse, &c., his lordship's chief plea being, that the House might do justly in transmitting him to the Lords, and yet it might be a kind of murder in him, being against his conscience, but he humbly submitted his opinion to the judgment of the House. This kept him from the bar; but he is not acquitted, but they let it hang over him, to keep him in awe. Sir Robert Hatton, for endeavouring to excuse him, by reason of his quality, they called to the bar likewise, saying every man sat there as a commoner, and should be dealt with as a commoner, &c. The heat continued such for a day or two, that a list was made of the 56 that sat as well-wishers to the Earl of Strafford, called Straffordians, and pasted upon posts at the Exchange and other places, and on the other side divers of the 204 that went out against him were named in a catalogue, Alderman Penington being one, and the title was "The Anabaptists, Jews, and Brownists of the House of Commons." I hear it whispered in the court that the King will not let the Earl go, and that the Parliament is not likely to be long-lived. The Earl of Holland is made General of our army, but a Commission is to govern it. Lord Savill is lord-lieutenant of Yorkshire, and has a patent for custody of Sheriff Hutton Park, which the Lord President [of the North] once had, but the Earl of Strafford had that during life, and the Parliament would take that government away. The Prince of Orange with his 400 gentlemen made a full court here. [*Endorsed by Sir John Lambe.* 3 *pp.*]

April 27. 75. Robert Earl of Warwick to Captain Sir John Pennington, Admiral of the Fleet, "in the Sound of Plymouth." Your love and respect to me upon all occasions has tied me in a very sure knot of friendship to you, and upon all occasions I shall rest most ready to serve you. I have sent you the Portuguese, and do desire you to call to Capt. Camoke at the Cowes as you go in for the other six,—three aboard him, and three aboard Capt. Beaumont. P.S.—I send you by your master a letter to Sir John Hippisley. [*Seal with arms and coronet.* 1 *p.*]

April 27. May 7. Paris. 76. Robert Read to Thomas Windebank. I cannot omit to present my service to you by this gentleman, though my arm be in a scarf, for the second letting blood to quit myself of a feverish

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indisposition. My Lord Ambassador [the Earl of Leicester] has been spoken with very particularly about the letters that miscarried, and his secretary Mr. Batiere, and they both affirm they could fall into no hand but Mr. Treasurer's, having been enclosed in my Lord's own cover to him. My Lord Ambassador's departure hence is very sudden. I hope there is somewhat doing for him on that side to his advantage; he has used Mr. Secretary [Windebank] so well here, and I am confident he will be as good to us there if it lie in his way. If you have anything of consequence to write whilst my Lord Ambassador shall remain there, I doubt not but Mr. Aylesbury will obtain his Lordship's favour to put your letter under his own cover hither, which cannot but come very safe. This is all the trouble I shall give you till the next post, which I make account will be there before this, for I hear my Lord goes to the sea's side in his own coach, wherewith he can make no extraordinary expedition. [*Seal with arms.* 1 *p.*]

April 28. Queen's College, Oxford. 77. John Nicholas to his father Edward Nicholas. Writes lest he should be reckoned in the number of oblivious sons. I am very much obliged to the Vice-Chancellor [Dr. Frewen] for his love to me; I have taken with him many meals this Lent. My tutor presents his service to you. [1 *p.*]

April 28. Burdrop. 78. William Calley to Richard Harvey. Your letters of the 15th and 22nd inst. I have received both, intimating the black cloud that hangs over my Lord Cottington's head, which I pray God may pass away without any tempest. My prayers are the best service I can do him, and those he shall have. On Saturday, the 10th inst., between twelve and one at night, we lost eight pairs of new canvass sheets laid in the garden to be whited; but, whether overburdened or out of running, the thieves dropped three pairs in two several places openly to be seen, as if they had gone that way; which I cannot believe they did; neither do I think they were strangers altogether. All that I can dislike in the legacy rings, is that they [are valued at less than] 3*l.* apiece, which [it] was the will of my deceased dear father they should be worth. Therefore I pray at least let them be of the full value. [*Seal with arms.* 1 *p.*]

April 30. York. 79. Sir John Conyers to Edward Viscount Conway. I am glad to hear you have not quitted your command; if it be not much to your advantage to leave it, I pray you may still hold it. I am still told of divers that are to succeed your Lordship, but yet hear of none I shall willingly obey. If some of them come I must retire, *coûte que coûte.* That the Parliament will provide pensions for any of our profession I cannot believe, we are too contrary to their humour; but that they say something to please us I may easily imagine. The Lord General writes, and most men say, he will be here shortly; but I believe it not, except he brings money and justice with him. If you give the Prince of Orange but [the title of] Highness you do no more than he has had long in Holland, for so soon as his father was possessed of it, the next work in that Court was to banish Excellency from this Prince also. [*Seal with arms, broken.* 1 *p.*]

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April 30. May 10. Calais. 80. Robert Read to [Thomas Windebank]. My last to you was of the 7th present, by Mr. Aylesbury, who went hence with my Lord Ambassador [the Earl of Leicester] on Wednesday last. His Lordship is gone by Dieppe, and purposes to make as much haste as he can with his own coach, yet I believe this will come to your hands before his Lordship's arrival at Court. I am glad ours of the 19th came at last to you. It is a mere device to say they were sent an extraordinary way, for they were put up here in the packet that went by the ordinary, and how they could then come by an extraordinary I do not understand; but I guess at the reason why they were detained so long from you. I believe it is likewise a mere device that my Lord Ambassador's Secretary should complain of swelling his packets; for my Lord oftentimes demanded here, whether we had no other packets to send, and has seemed troubled when we made use of any other way. But it is easily judged by this that Mr. Treasurer [Vane] is weary of doing that favour for us, and so we must trouble him no more. I am very glad my Lord Chamberlain uses you so well as to give you the use of our lodgings; it is no ill sign, I hope, of the success of our unfortunate business. I wish an end were put to my Lord Lieutenant's business, for the sooner that is finished, the sooner will ours come into agitation. On Saturday next we are to remove to another lodging, which is more open and wholesome than any we have been in hitherto. My uncle is loth to stir out of town till we hear more from your parts. Lord Cottington does very wisely in what you mention; I wish somebody else could have done so too. Since I began this I have spoken with Mr. Battiere, and he tells me that about three weeks since he wrote to Mr. Weckherlin not to trouble my Lord's packet with letters to merchants and other people here in Paris, which my Lord knew not, Mr. Weckherlin having of late sent many such letters under his Lordship's cover. But for ours my Lord was so far from finding fault with them, that he commanded Mr. Battiere at his going away to receive our letters, and send them under cover to his Lordship, and promised to send yours under his own cover hither. [2 *pp.*]

April 30. May 10. Paris. 81. Sir Francis Windebank to his son Thomas. Communication difficult. I am glad mine of the 19th came to you at last. It seems they miscarried, but through no fault of the Lord Ambassador here [the Earl of Leicester], who, I am assured, put them under his own cover to Mr. Treasurer Vane. I sent you in one of mine a duplicate of the letter I wrote to his Majesty, but seeing the original came so well, you may keep it by you. The ambassador has gone hence to England, and Mr. Aylesbury with him. Begs his son to wait upon the ambassador and make his acknowledgments, and likewise to put the Queen in mind to take notice of his Lordship's fair usage of him [Sir Francis] for her sake. I perceive my son Turner could be contented to change his livings in the Church for some other now upon the vacancies, and I would I were in a position to contribute anything to his desires. His services in Court begin now to be of

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some antiquity; and I know his Majesty's intentions to him in the former world, when his friends had power to make use of them, were extraordinarily good. In this low and afflicted condition wherein I now find myself, I cannot hold my mediation to any near the King of consideration; and, besides, I understand not what way the King will take for the disposing of those preferments now that my lord Archbishop is from him, or whether it will sort with his present affairs to make choice of such men as were heretofore held worthy. But if you or he think that my humble suit to the King or Queen in his favour will be of any advantage to him, I do give you hereby full power to solicit both their Majesties in my name, and to make it my humble request to them, to vouchsafe him some mark of favour in such particular as he shall desire. This, I pray you, let him know, with the remembrance of my dear love to him and Pegg. Concerning that wherein you desire to be instructed for the better securing of the monies lent to his Majesty for the post business, I do not apprehend any danger in the Privy Seal, if the party whose name is used be honest. Nevertheless, if, upon advice with any friend, you shall find danger, there can be no other remedy than to alter the Privy Seal, and to cause a new one to be passed in some other name of more trust; or else that two several Privy Seals be made, the one for one moiety of the money to be paid to Mr. Treasurer [Vane] in such a name as he shall appoint, and the other moiety to me in such a name as I shall choose. But none of this can be done without Mr. Treasurer's knowledge and consent. I shall be glad to hear of your mother's safe arrival and well-being in the country. Commend me to Nanne, and let her know I am very glad she is so well recovered of her late sickness. God bless her and you and all the rest, and preserve you all that I may enjoy you again before I leave this world. P. S.—Since I began these Mr. Batiere [Secretary to the Earl of Leicester] has been with me, and tells me that my Lord of Leicester gave him in charge at his departure to be careful of my letters, and to convey them in his own paquets to him, by which address you are to receive these, and you may from thence return answers under my Lord's covers. I pray you present my affectionate thanks to Mr. de Vic for his letters, and let him know it is not want of respect that I have not done it in a letter apart to him as I ought, but merely to free him from so much importunity and danger. I received a friendly remembrance from Sir Thos. Reynell in Mr. de Vic's letter, which I pray you acknowledge to Sir Thos. from me. On second thoughts, considering my Lord of Leicester going by the way of Dieppe may perhaps find but a slow passage, I have thought fit to send these by Mr. Burlamachi's means. It is said here that my Lord of Leicester is sent for to be Lord Deputy of Ireland. [3 *pp.*]

[April.] 82. The voluntary confession of John Browne, a Romish priest, of the age of 72, a prisoner in the Gatehouse, who, being twice examined by a Committee of the House of Commons [*see* Commons' Journal, ii. 118], did thereupon further explicate himself for the good

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of the Commonwealth and ease of the House. The House notices that the party who delivered this petition is one of the most eminent of this age in these dominions, who has read divinity, mathematics, and philosophy at Salamanca, Alcala, Holland, Avignon, Rome, Venice, and Genoa; has preached at Paris, in presence of the French King, at Antwerp, Brussels, Dunkirk, &c; and who desires to inform concerning some special points for the weal of this State, which he has observed above 50 years past, which are reduced to these heads: 1. Concerning the Jesuits, and danger they have done to these kingdoms, labouring that the Oath of Allegiance might not be taken; the ways they use with their penitents; and projecting of monopolies; of the ministers and substitutes they use; and the way quite to root them out of these dominions. 2. The reformation of some things in the Queen's Court, and of some persons which are fit to be removed. 3. The Archbishop of Canterbury, and of the great damages done partly by himself, and in his Court of High Commission. 4. Of the manner whereby the Pope means to intrude himself into the temporal monarchy of these kingdoms; and, to eschew all future danger in time coming, what persons are to be removed from hence; and that there should not be permitted any Resident to remain at Rome for the Queen, nor any here from the Pope; nor for foreign princes, to stir sedition in the State, namely, France and Spain. 5. That Roman Catholics shall be stopped from going over sea with their goods and all. The pamphlet enlarges on the above five subjects, going back many years to trace the influence of the Jesuits, the Pope, &c. in England. [32½ *pp.*]

[April.] 83. Another copy of the same. [15 *pp.*]

[April.] 84. Another copy of the same, imperfect. [44 *pp.*]

[April.] 85. Abstracts of certain of the charges preferred against the Earl of Strafford, so far as they could be gleaned by the writer, and addressed to Edward Viscount Conway. 1. That Strafford has often sat in Council. 2. That, contrary to the statute of 18 Hen. 6, he has caused several soldiers of horse and foot to be quartered upon the King's subjects against their will, which is treason. 3. That he has caused the Earl of Clancarty and Col. Fitzpatrick, and several other notorious rebels, to be restored to their estates, and, under pretence of that restitution, to possess much more land than ever they had. 4. That the Adventurers who were possessed of his estate have been removed to bogs and mountains without any valuable satisfaction 5. That he has endeavoured by oppression to force those who have lands adjacent to his to part with them at inconsiderable prices. particularly in the case of Colonel Gower, to whom he said, "I will have it, and recompense it to you in money as I please." 6. That when the opinion of any commissioners of the Court of Claims has been against him, he has caused such commissioners to absent themselves at the times of the sentence, that so nothing might pass contrary to his pleasure. 7. He has procured letters from the King in behalf of such persons as never were in being, and has caused the title of such letter men to be set up against the Adventurers; and

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having so dispossessed the Adventurers, has entered into the lands by pretended purchase, and enjoys them himself. I cannot learn any more of the heads, and of these all seem to me very frivolous, except the 2nd and 5th. [*Seal with crest.* 1 *p.*]

[April.] 86. Fifteenth article of the Commons' impeachment in Parliament against Thomas Earl of Strafford, charging him with setting up arbitrary government in Ireland by illegally taxing divers towns and billeting soldiers on the inhabitants to compel them to pay, and by illegally and by force ejecting certain families from their estates. [*Printed in Rushworth's Trial of Strafford, pp.* 67 *and* 426; *and State Trials,* III., *pp.* 1393–4; *and in Cooke's "Speeches in Parliament,"* 130.] [1½ *p.*]

[April.] 87. Extracts from and references to the rolls of Parliament and other records touching the law of treason and famous cases of impeachment for treason, since temp. Edw. 3. Probably used in the Earl of Strafford's trial. [4 *pp.*]

[April.] 88. Extracts from a letter of [Sir John Conyers to Edward Viscount Conway.] For it is certainly reported here that Holland, Goring, and Percy are to be our chiefs, and not one of all three that knows aught. Shall not I be in a good case, &c. I will never stay to command them, having such chiefs. If Goring comes, Sir Jacob Astley will not stay, and I will be sick or lame, &c. I am certainly told that the 13th of this present, the day you wrote to me last, you resigned your place to Mr. Percy, &c. For aught I hear the foot continue still in their former designs. I would willingly be advised how I should best behave myself in the business, for 'tis said 'tis pleasing to the King.

[April?] 89. Memorandum, intended for the Earl of Bedford, relative to his investigation of the King's revenue and expenditure. The first thing your Lordship is to take care of is to have the present state of the whole revenue clearly set down, that it may appear in what condition you receive it, whereof some remonstrance is to be made to his Majesty and the Council. And for your better satisfaction therein, first a balance is to be made showing his Majesty's annual estate and his annual charge, the casual revenue being computed by a medium of seven or ten years, and the casual expenses in like manner. This balance is to be made by Sir Robert Pye, and Bingley, one of the auditors of the imprests, some other auditor being added to assist them; and I take auditor Philips to be the fittest man; or rather by a commission to be issued to these and some others. Secondly, your Lordship must be particularly informed by Sir Robert Pye and Sir Edward Wardour of all the anticipations on his Majesty's revenue, and of all his Majesty's debts by Great Seal and Privy Seal, for which no assignations are made. Thirdly, you must have a brief information, from some officers of the Customs, how the great and petty farms are for the present disposed of, how long they are contracted for, and under what rents; what collections of impositions or other duties are in danger of being totally lost by the present Parliament, or of being

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impaired by any alteration of State, or of trade at home or abroad. By these informations you will in some measure understand the present state of the revenue, so as to represent the same to his Majesty and the Council; which being done, the next care may be to reduce things to some better order than you received them in, which cannot be well done but by the Parliament, nor by them unless things be prepared for them. The first thing may be to reduce all pensions and other payments into the receipt of the Exchequer, some of them being now assigned on other revenues. The reducing them to the Exchequer is legal and regular, and will bring all the revenues and all payments under one account, and give you the true power of the King's payments, which otherwise you have not. The second thing is, what may be saved, and what charges retrenched, in his Majesty's estate; wherein, I believe, upon a careful examination of the King's estate, very much may be done, viz. in his Majesty's and the Prince's house, in pensions bought and transacted from man to man, and some others likewise in the wardrobe and stables, in superfluous and useless officers in the castles and forts, in ordering the customs and other revenues, and in divers other particulars. It will be very difficult, from the great anticipations, to make the King subsist on his own revenue without supply from his people in Parliament. But if subsidies were given I conceive it very easy; first, because the subsidies would give the King credit; secondly, some anticipations on present and immediate revenues might be removed, and the King make use thereof for his present subsistence, and appoint the anticipations to be paid out of the subsidies. It will be very important to forbear anticipations for the future as much as possible; and I think it very possible to forbear them if the revenue be once balanced, settled, and regulated, some annual provision being made for the King's just debts. There are several monthly payments into the Exchequer from the great farm, and divers collections of the customs, impositions, and other duties, which are for the monthly supply of the King and Queen's household charge, for the works, for the Treasurer of the Chamber, for the Guard and other necessary payments. Your Lordship must be particularly informed by Sir Robert Pye what and how much these monthly payments are, and out of what revenues and to what uses they are issued. And there must be especial care to establish these payments, and to settle as many monthly payments as possible, because this will be a means of much security and quiet to you, and will keep much clamour and complaint from the King. The government of the revenue of Ireland and all the affairs of that kingdom formerly depended principally on the Lord Treasurer, till my Lord Lieutenant's [Earl of Strafford's] time, who procured instructions and powers that made him independent of all but the King and himself. You must therefore take some care that the instructions of the next Deputy be conformed to ancient precedents, and not to those of my Lord Lieutenant; and that a correspondence and dependence be settled between your Lordship and the Lord Deputy and other officers of

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that kingdom, as the Vice-Treasurer, who is also Treasurer for the army, the Masters of the Wards and Rolls, &c. [*Endorsed:* "This was intended for my Lord of Bedford." 3½ *pp.*]

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May 1. 1. The King's speech to the Lords and Commons in Parliament concerning the Earl of Strafford. My Lords and Gentlemen, I had no intention to have spoken to you at all in this business of which I am constrained to speak this day, concerning my Lord Strafford. You know I must have part in the judgment, and it is fit I should satisfy my conscience; and I thought fit to declare it, that you and I may not differ in judgment. You know I heard all passages, and I must declare that in my conscience I cannot condemn him of high treason. It is not fit for me to argue. King's relations should be short and positive: yet I shall tell you three great truths:—(1.) That I never intended to bring the Irish Army into England, nor was ever advised to it by any man: (2.) That there was never any debate before me of the disloyalty of my English subjects, nor did I ever distrust them: (3.) I was never counselled by my Lord of Strafford nor any other to alter any law, much less all the laws; nor do I think any man so impudent to offer it; if they had, I should have set such a mark upon them as should have rendered them odious to posterity, my intentions being ever to govern according to law. I do desire to be rightly understood. Although I cannot find my Lord of Strafford guilty of high treason, yet I cannot hold him clear of misdemeanours. I hope your Lordships will find a way to satisfy justice, and not press me against my conscience, considering what inconveniences may follow. I should do much to comply with both Houses, but I must let you know that no fear or respect whatsoever shall make me go against my conscience; and I hope I have not deserved so ill of this Parliament that they should go about to press me against it. I do conceive my Lord of Strafford not fit to serve me in any place of nearness or trust, nor to bear any office, not so much as to be a high constable; therefore you may proceed to condemn him of misdemeanours; but I will not chalk you out the way. For the next place I am to speak of that which I put you in mind the last day. I desire and require your assistance for the disbanding of all the armies. When you are ready you shall not find me wanting on my part, for I desire to restore this kingdom to that happy peace I found it in. [*Copy in Nicholas' hand. This speech is wanting in the Lords' Journals, but is printed in Rushworth Collect. iv. p.* 239, *and in "Trial of Strafford," p.* 734, *both of which versions differ considerably from the above.* 1½ *p.*]

May 1. 2. Another version of the King's speech to both Houses of Parliament concerning the Earl of Strafford. My Lords and you the Gentlemen [of the House of Commons], my coming this day to this

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place is not unknown unto you. It is concerning the charge and impeachment of my Lord of Strafford. You know I have heard his trial from the beginning to the end, therefore of mere necessity I must needs be a judge. And now for the case: I must and freely will discharge my own conscience, and every one here hath the same liberty. Truly in my conscience I cannot find him guilty of high treason. And I will deliver unto you some passages which do most concern my own self. 1st. The Earl of Strafford did never counsel me in public nor in private for the bringing over of the Irish Army. 2nd. He did never counsel me to subvert the ancient laws of the kingdom. 3rd. He did never counsel me to the disaffecting of my loyal subjects. But for his misdemeanours I confess they are so great that I hold him not fit to be in any office whatever; nay, not so much as a high constable. And thus, my Lords, and you gentlemen, I hope I have given you satisfaction; and if not you, I have satisfied my own conscience; and in so doing, I do not fear what can ensue. The next is what I spake in the Banqueting House concerning the disbanding of all the armies, and to speed a peace and tranquility in all these kingdoms as formerly there hath been. [*Copy.* 2 *pp.*]

May 1. 3. Account by Richd. Poole of saltpetre brought into the stores and delivered to Samuel Cordwell in the six months from 1st Nov. 1640 to 1st May 1641. Total, 52 lasts 16 cwts. 1 qr. 7 lbs., being 42 lasts 8 cwts. 2 qrs. 21 lbs. less than the proportion assigned to the saltpetremen. [1 *p.*]

May 1. Office of the Ordnance. 4. Certificate of what powder was in the Tower and at Portsmouth 1st April, and what has since been brought in or issued out, and how much still remains in store. Total in store, 233 lasts 22 cwt. 57 lb. [2 *pp.*]

May 3. 5. Certificate of Peter Heywood, J.P., that George Rollins of Westminster has taken the Oath of Allegiance. [$\frac{1}{3}$ *p.*]

May 3. 6. The preamble, with the protestation made by the whole House of Commons the 3rd of May 1641, and assented unto by the Lords of the Upper House the 4th of May. Sets forth that the designs of Priests and Jesuits and other adherents of Rome have of late more boldly and frequently been put in practice than formerly, to the danger of the true Reformed religion established. Endeavours are making to subvert the fundamental laws of England and Ireland, and to introduce the exercise of an arbitrary and tyrannical government by most pernicious counsels, practices, plots, and conspiracies. The long intermission and unhappy breach of Parliament has occasioned many illegal taxations, whereupon the subjects have been prosecuted and grieved. Divers innovations and superstitions have been brought into the Church; multitudes driven out of his Majesty's dominions; jealousies raised and fomented between the King and his people; a Popish army levied in Ireland, and two armies brought into the bowels of this kingdom. Lastly, endeavours have been and are

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used to bring the English army into misunderstanding of this Parliament, thereby to incline that army by force to bring to pass those wicked counsels. We have therefore thought good to join ourselves in a declaration of our united affections and resolutions, and to make this ensuing protestation. [*Printed in Commons' Journal, ii., p.* 132, *and Rushworth Collect. iv. p.* 241. *Copy.* 1½ *p.*]

May 3. 7–8. Two other copies of the Commons' protestation, [¾ *p.*]

May 3. List of members who voted against the Bill for the attainder of Strafford, posted up [in Old Palace Yard, Westminster]; amongst others, Lord Digby, Sir Robert Cotton, Mr. Warwick, Sir Thos. Fanshaw, and 55 others. [*Printed in Verners Notes, p.* 57. *On same paper as preceding.* 1 *p.*]

May 3. 9. Brief Journal, apparently by a member of the House of Commons, from 1st March to 3rd May 1641, chiefly concerned with Strafford's trial. [6 *pp.*]

May 3. Charing Cross. 10. Wm. Lenthall, Speaker of the House of Commons, to Sir John Conyers, Lieutenant-General of the Horse. We have had cause to doubt that some ill-affected persons have endeavoured to make a misunderstanding in the Army of the intentions of the Parliament towards them. To take away all mistaking in that kind, the House of Commons have commanded me to assure you that they have taken the affairs of the Army into their serious care. And though for the present their monies have not come in, as they wished and as was due, by reason of their many distractions and other impediments which the House could no way avoid, yet they may rest most assured that they shall not only have their full pay, but the House will take their merits into further consideration in regard they took notice that, notwithstanding their want of pay and the endeavours of those ill-affected persons, they have not demeaned themselves otherwise than as men of honour and well-affected to the commonwealth, which this House takes in so good part that we have already found a way to get money for a good part of their pay, and will take the most speedy course we possibly may for the rest. P.S.—It is the pleasure of the House that this letter be communicated to the Army to the end their intentions may be clearly understood by them. [*Copy.* 1 *p.*]

May 3. Covent Garden. 11. Sir Wm. Uvedale, Treasurer at Wars, to Matthew Bradley. Touching money I must tell you a strange story. There is money ready in the City, but none will be delivered until justice be done upon my Lord of Strafford, and this is our great stumbling block. This day there were at Westminster at the Parliament house 10,000, I speak within compass, to demand of the Lords justice against my Lord of Strafford,—citizens of very good account, some worth 30,000*l.*, some 40,000*l.*,—and do boldly deliver themselves that to-morrow they will send their servants if they do not expedite justice speedily. I assure you things are grown to a great height here, and almost every day we expect a commotion. Truly these unsettled times do much trouble me. And that the Scots have forti-

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fied Darlington, and lie in good order upon the side of the Tees, puts me in some fear, especially when I consider what a charge of money you have in your hands. And therefore I could advise that you would remove to York, until more monies come down, and by that time I hope all things will be better settled. But this I refer wholly to you, in whom, I confess, I repose so much confidence and trust as I know there will be nothing wanting either in care or discretion; and therefore what misfortune soever should befall me in this case, I shall bear it with the better cheerfulness. I am fallen again very lame of the gout; it takes me at an ill time, but I hope God will free me of it within a few days. I have lent here 50*l.* to Colonel Merrick to be defaulked out of his next month's pay, and have paid to Captain Herbert upon your letter one month's pay, 21*l.* Here is Captain Chidley; he is of my Lord General's regiment, and importunes him for all his pay that he is behind, having designed himself for Portugal, and so intends to quit this employment. I desire to know to what day he is paid, and whether he has had any advances since 5th January. Looking over your note of the charge there, and what must remain in my hands, I find that you charge Miviett with 100*l.* from Sir Thomas Lucas, but it is not to be charged on his last month's pay, but on the next, as also Potter's bill of Exchange for 300*l.* P.S.—Some of the Reformado officers of the English have obtained of the Parliament one month's pay. I desire to know what the pay of a captain, lieutenant, and ensign is by the day. I take it, it was according to the establishment of 1639. I have sent you down a warrant from the Lords of the Council to take up carts for your remove if there should be occasion. [4 *pp.*]

May 3. 12. Receipt by Matthew Nicholas for 30*l.* received of Rd. Greene, of New Sarum, by direction of Edward Nicholas; 20*l.* being for the half year's rent of Wherwell, and 10*l.* for other occasions. [½ *p.*]

May 4. 13. Certificate by Thos. Sheppard, J.P., that Francis Roper, of London, had taken the Oath of Allegiance. [*Seal with arms.* ⅓ *p.*]

May 5. Whitehall. 14. Warrant to Sir Edward Herbert, Attorney General, to draw up a bill in due form of law for a pension of 1,000*l.* payable at Michaelmas and Lady Day to Henry Percy, Master of the Horse to Prince Charles, during his life, granted in lieu of payment of a debt of 6,420*l.* which Percy has surrendered. [*Signed, but not sealed.* ½ *p.*]

[May 5 ?] Whitehall. 15. Warrant to the same effect as the preceding; but, instead of being payable to Henry Percy, the pension of 1,000*l.* is passed to Philip Viscount L'Isle, John Alford of Offington, and Hugh Potter of London, for Mr. Percy. [*Draft.* 1 *p.*]

May 5. 16. Resolution of the Commons, declaring any person who should assist in bringing any foreign force into the kingdom, unless by command of the King with the consent of both Houses, to be adjudged a public enemy. [*Extract out of Commons' Journal, ii.* 135. 1 *p.*]

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May 6. Westminster. 17. Patent appointing Mountjoy Earl of Newport Constable of the Tower during pleasure, with the fee of 100*l.* per annum. [*Neither signed nor sealed; strip of parchment. Latin.*]

May 6. 18. [Father Phillips, the Queen's confessor,] to Mons. Louis Amerine, Place Moubert, Paris. Our present distractions are sufficient to hinder me from writing much. If you could be sensible of my present affliction for our good Queen and King you would pity me. Can your good Cardinal or can your King suffer a daughter of France with her children to be affronted; or can they think it policy to suffer England and Scotland to join in one body or commonwealth. That seems to be the present design. If they do join in that manner it will be prejudicial to France. Some from hence will be shortly with you if the ports which now be stopped do not hinder them. [*Endorsed:* "Fit to be read. To incense the French." 1 *p.*]

May 6. 19. Account of the fees received by the Commissary of Bucks from 6 Nov. 1640 to 6 May 1641. [5 *pp.*]

May 7. Whitehall. 20. Sir Henry Vane to [Sir Thos. Roe]. I did, upon receipt of your letter, finding the Lord Admiral [the Earl of Northumberland] in so good a disposition of health as to wait upon his Majesty, acquaint them both with the occasion of your stay at Gravesend; whereupon the Admiral replied that he advised you to serve yourself to another ship, he foreseeing that this one could not be ready. By this time I hope it has found you; and the wind coming fair I wish you a prosperous passage into Holland, and we here out of this storm. We had here on Wednesday last, upon a summons from the House of Commons, Mr. Percy, Henry Jermyn, Sir John Suckling, Wm. Davenant the poet, and the Earl of Carnarvon, who have chosen, rather than appear, to quit their country, and are gone for France or Holland. It makes strange discourses. The ports are shut, and the House of Commons have sent several members after them; and my Lord Mandeville is sent down to Portsmouth, and others of the House to the Army. It is strangely thought on, this their so sudden flight, and they are esteemed much more culpable than I hope they are. The truth is the design has been ill carried, whatsoever it hath been. This day the Earl of Strafford's Bill of Attainder passed the House of Lords. Many who had appeared much for him absented themselves; yet there were 60 present, whereof 51 voted for the bill, and 9 against it, the Judges having before delivered their opinion that the treason was within the statutes. So as God send us now a happy end of our troubles and a good peace. His Majesty has declared this day concerning the disbanding of the Irish Army, and I hope my next will tell you that he is resolved to reconcile himself with his people, and to rely upon their counsels, there being now no other left; and that will, in my judgment, not be without great difficulties. P.S.—You will receive herewith transcripts of two letters I received last week out of Germany. [*Dated by mistake 7 April.* 2½ *pp.*]

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May $\frac{7}{17}$. Whitehall. 21. Charles Louis, the Elector Palatine, to Sir Thos. Roe. By the copy of the King of Denmark's letter to the King my uncle, which is sent you by Mr. Secretary [Vane], you will see that his ambassador for Ratisbone's stay at Glückstadt is only until he hears that I am content with the passports, which by this time he is certified of by mine of the 26th March. I thought fit to advertise you thereof, that the mistaking of it might not alter your design of making all possible haste to the treaty. [*Seal, with coronet, arms, and motto.* 2 *pp.*]

May 7. York. 22. [Sir John Conyers] to Wm. Lenthall, Esq., Speaker of the House of Commons. I have from my Lord General this last night received yours of the 3rd inst., as also another from his Excellency to the officers of the army. I presently dispatched a copy of yours to Sir Jacob Ashley, intreating him to cause the chief officers of the Foot to assemble with all possible speed, where I will give order that the officers of the Horse shall also meet, and will then impart to them the contents of your letter and that from my Lord General. For the rest, as I have hitherto been careful and so happy as to keep good order in the troops, notwithstanding our great necessity both of rules to govern by and money to content the army, so I will not fail to the uttermost of my endeavours still to continue the same. Intreating you to be pleased to move the House that order may be taken with all possible speed to supply both the army and the country, whose necessities are so great that neither the one nor the other is able to subsist much longer. [*Copy.* 1 *p.*]

May 7. 23. Sir John Lambe to Wm. Viscount Say and Sele. Dr. Walker's order is grounded upon many things mis-alleged by him, which I have noted in the margin, and pray your favourable perusal of them, and then I know you will do what shall be just, and I desire no more. It is matter of title of ten years since. I am willing to try it with him at Common Law or Chancery, or any way you may suggest. [*Draft.* $\frac{1}{4}$ *p.*]

May 9. Whitehall. 24. Thos. Earl of Arundel and Surrey to Count Leslie. I have not this long time troubled you with letters; but now, this occasion being offered, I could not omit it, and by them assure you that my reason and my affection doth wholly concur with yours in wishing a happy conclusion of this unhappy business; and as you are understood, both by the King and by this ambassador Sir Thos. Roe, to be the most cordial friend our poor Prince Elector has, so I am confident you will put all your strength to it. For the ambassador, I will give you this true character of him, according to what I protest, I do verily think that he goes with all possible desire to accommodate this business. I know well he has been formerly thought to be very averse, and do all ill offices to this business; but I assure you he now goes wholly the other way; for he agrees with me that the Prince Elector has never had wise nor well-disposed ministers; that he must accommodate himself to what may with honour be gotten now, and hope for the rest by further treaty; that none of his party must prattle of religion, but be quiet, and every one charitably exercise his

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own; and, last of all, that if the Prince Elector have any good condition, they will expect he shall assure them he will be a friend to them; and the best assurance will be by a match with some of the Austrian family, which is now most likely by some daughter of old Leopold at Innsbruck, wherein the Duke of Florence, as he did most nobly when I was there, I doubt not but will assist to this purpose in part. I have spoken to his Majesty before the Prince Elector himself and Sir Thos. Roe, and I have humbly offered my advice to the Queen of Bohemia by Sir Thos. Roe to conform herself to all reason. In sum I pray be confident of this ambassador as my friend. [*Copy.* 1 *p.*]

May 10–18. 25. The Diurnal Occurrences or Proceedings in Parliament from May 10 to 18. Monday in the morning his Majesty signed a commission to the Earl of Arundel, Lord Privy Seal, the Lord High Chamberlain, and others, for passing of two bills, the one for the continuance of the Parliament, the other for the execution of the Earl of Strafford on Wednesday following. [11 *pp. Printed under this title in* 1641, *in Diurnal Occurrences, pp.* 97–104.]

May 11. The Hope, Gravesend. 26. Sir Thos. Roe to [Sec. Vane]. I received yours [see May 7], the night past, aboard the ship ready for a good wind, which has blown hard these two days right in our teeth, whereby those cavaliers by you mentioned have had opportunity to overtake me; and I have quitted the great cabin to them, the Rhinegrave coming with them, which is the best commodity for them; and the round house, as more private, shall serve me. But their train is so great, and so many other passengers by reason of the shutting of the ports by order from the Lords' House, that it breeds here a very great disorder; first to me, there being above 100 passengers on my ship who bring neither victuals nor other commodity, but soldier-like mean to live upon their quarter; yet for that we may make some shift. But the disorder of the port is universal, for the command is so strict that divers ships bound for their voyage in trade, as one for Rotterdam belonging to the Merchant Adventurers, one for Gottenburg for masts, one for New England (whither none of the suspected will fly) with about 200, all the fisher barks of Barking and divers dwelling in the river below at Leigh, Queenborough, and Chatham, are stayed from going out, whom, if you please to help to release, I am confident that they will carry out no man suspected or fit to be stayed, of which both the forts and searchers have a special care; and I believe if the Lords knew the inconvenience they have no purpose to damage the traders and poor men. I have written formerly to the Speaker of the Lord's House, and now to my Lord Admiral [the Earl of Northumberland], informing [them of] our condition, and shall expect their favourable answers. For myself I languish here, and will take the first possible change of wind to get to sea, and make such haste as his Majesty's trust and the business requires; but I assure you that there is not one ship ready nor half-manned in the river nor the downs, for without pressing and punishment no man will serve the King. The tides return with every season, but obedience will be long lame, if the Parliament every way restore it

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not. I have nothing to add but *vota et suspiria* that I may find you in better state than I leave you: if not, I shall rather envy those that perish with honour than those that outlive the honour and peace of their country. God's will be done. I kiss his Majesty's hands, and though I wander I am the same everywhere. P.S.—The King's letter to Prince Rupert: I beseech you to put the Earl of Bristol in mind of his papers he promised me for the King's service. [1½ *pp.*]

May 11. 27. Certificate of Peter Heywood, J.P., that Hy. Nevell or Neville of Heathley, Berks., has taken the oath of allegiance. [½ p.]

May 11. Covent Garden. 28. Sir Wm. Uvedale to Matthew Bradley. Our distempers break up clear here now, and our city begins to grow quiet. This day the King having signed the warrant for the execution of Lord Strafford upon Wednesday next, the mouth of the people is stopped. And so there will be an end of that great man. I hope now I shall be sent down with monies to cashier the army speedily. I think you have very well resolved not to stir from Ripon with your charge; it could not be done without suspicion, and you have taken the discreeter course. You have satisfied me touching Captain Chidley, and perhaps the young man himself knew not of the remand taken for him by his sergeant-major. There is nothing yet done in his business, and now I am armed let him come when he will, but he is now staid here upon some examination of the Parliament touching a letter he brought from the army. There is also fled from here Mr. Henry Percy, Henry Jermyn, Sir John Suckling, and Mr. Davenant; what the occasion is, it does not yet clearly appear, but it is thought for some practices with the army and some other design. I hope shortly to see you, and therefore will say no more at this time. P.S.—Here is Lawday, lieutenant-colonel to the Earl of Barrymore. I desire to know to what day he is paid, and whether he has received anything by way of advance from 5 Jan., and also whether 5 Jan. is inclusive or exclusive. Lord Edward Howard desires to have 200 returned for him from York. If his servant bring it you, return it upon me, and I will pay it here. Lankford has given you an account of Captain Coningsby's letter. [2 *pp.*]

[May 12 ?] 29. Epitaph on Thos. Wentworth, Earl of Strafford.

Here lies wise and valiant dust
Huddled up 'twixt fit and just,
Strafford, who was hurried hence
'Twixt treason and convenience.
He lived and died here in a mist,
A Papist and a Calvinist.
His prince's nearest joy and grief,
He had, yet wanted all relief;
The prop and ruin of the State;
The People's violent love and hate;
One in extremes, loved and abhorr'd.
Riddles lie here, or, in a word,
Here lies blood, and let it lie
Speechless still, and never cry.

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May 12. Burdrop. 30. Wm. Calley to Richard Harvey. Your letter of the 6th, together with the Earl of Strafford's defence, &c., I have received. That Lord Digby has lost (you say) by this his speech the good esteem that formerly he had, is strange to me; but, poor country dunce, my opinion cannot add to or diminish anything of his worth. If it be true that my Lord Cottington has by petition to his Majesty voluntarily resigned his place, the world will not be deceived in him, who all his life-time has had the reputation of a wise man, and this act will not make him fall short. For the legacy rings, I am still in the same mind to have them altered, and all the alteration I desire is to have them weigh fully 3*l.* in gold a-piece, besides enamelling and the fashion; but if this be profuseness give me leave for once to run my own way. I am sure I shall never have so just an occasion to be so again. Honest Mr. Whipp, my good neighbour, and my cousin Morse, determined as on Monday last to go towards London, and I thought to have written by one of them, if this your letter had come in time. We marvel here what caused Sergeant Glanville to be sent for out of the circuit. I should be glad to hear that we had done sojourning the Scots. I pray present my humble service to Mr. and Mrs. Porter. I need not, I know, put you in mind of calling in any money that is lent upon distrustful security, or disposing again of Mr. Mallett's, or any other that shall be paid in, to my best advantage. [1 *p.*]

[May 12.] 31. Papers relative to the case of Lye and Chamberlain.—Petition of Thomas Lye, showing that Sir John Chamberlain of Prestbury, co. Gloucester, granted an estate of two messuages in the parish of Churchdown, Gloucester, to Wm. Lewes for 80 years, if he the said William, or Anne his wife, or Thomas their son, should so long live. William and Anne died, and Thomas was his father's executor, who, in a short time after his father's decease, passed away his estate to the Revd. Holford, of Churchdown; and since the estate has come into the hands of Thomas Lye your petitioner. Sir John Chamberlain being dead, one John Chamberlain, brother's son of the said Sir John, is become possessed of the manor of Churchdown, and has questioned petitioner about his lease, and hearing that Wm. Lewes was departed the country, gave out that Lewes was dead about seven years before in the Swedish armies, and made an entry upon the said messuages by putting in cattle, and setting a man to keep them in, thinking thereby to have wound himself into the possession, the which cattle petitioner put forth and continued in his own, but after a certain space John Chamberlain caused his bailiff to impound them. Petitioner replevied them. They were impounded again, and so to the number of seven impoundings, causing petitioner to bring seven several actions against the said bailiff. John Chamberlain then procured two fellows, who beat petitioner's wife, servants, and cattle, all to occasion an action, which petitioner framed in the Court of the Marches of Wales. Costs were awarded against Chamberlain; but petitioner is unable to recover them unless he bring an action, which, on account of his poverty, he cannot do. John Cham-

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berlain has since vexed him in the Star Chamber, and threatened to set apart 100*l.* of his estate yearly to vex him. [2 *pp.*] *Annexed,*

I. *Seven orders of the Council of the Marches of Wales, finally ordering that the cause be tried at Common Law; the occupier, Thomas Lye, meanwhile to remain in possession, and the party losing the suit to pay costs.*

II. *Also order of the Court of Chancery that Thomas Lye give good security to answer the mean profits of the lands in dispute, or that John Chamberlain have possession of the said premises, he giving good security.*

III. *Second order of the Court of Chancery discharging the above order, seeing that Lewes has since been found by verdict in a court of law to be alive.* [12½ *pp.*]

[May 13.] 32. Petition of Sir John Lamb to House of Lords. Your suppliant petitioned for a hearing to be in this House of a cause formerly depending before the Lords Committees upon the petition of Dr. Walker against petitioner. By order of 2 April you gave leave to petitioner to go into the country till 5 May, for recovery of his health. Notwithstanding which leave of absence, Dr. Walker on 12th April last procured an order against petitioner to pay him for damages upon sight of that order 1,250*l.* The matter is for title of freehold in two offices, which Walker alleges to be only triable at common law, where petitioner is willing to try it with him if he will bring his action there. Or if, without offence to this House, petitioner may exhibit his bill in Chancery against Walker, many of the grounds pretended by him, and recited in that order, will appear to be misalleged by him, by his own confession there upon his oath. All which may be done in the beginning of this Easter Term, and not hinder the proceedings here; but reserving the final ordering of this cause to this House. Or that petitioner may have a hearing in this House, where he hopes to give you good satisfaction. Else that this cause may be left to the common law, where Dr. Walker says it is only triable. Or that petitioner may exhibit his bill in Chancery. [*Draft.* 1 *p.*]

[May 13 ?] 33–34. Three copies of the above petition, with slight variations and alterations by Lamb. [1 *p.*]

[May 13 ?] 35. Notes by Sir John Lamb from which the above petition was drawn, specifically stating the charges brought by Dr. Walker in his petition to the Parliament, and Lamb's answers to the same. [3¼ *pp.*]

May 13. Sion. 36. Instructions issued by Algernon Earl of Northumberland as Lord High Admiral to Sir John Pennington, to be observed concerning the impresting and vending of clothes on board all ships now under Pennington's command, in order to avoid such abuses as have been formerly committed in this kind to the prejudice of the mariners, to be set up in the steerage of each ship of the fleet. That these

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several kinds of clothes, only, viz., Monmouth caps, Irish stockings, shirts, waistcoats, shoes, handkerchiefs, and canvas suits, be permitted to be sold for the benefit of those seamen who shall want them in every ship respectively. [4⅓ *pp.*]

May 14. York. 37. Sir John Conyers to [Edward Viscount Conway]. Henry Cholmley is come down with letters from both Houses, and from the Lord General to be published here to the army. I am sure you know the contents of them. I see some out of countenance at his coming who have been busy men here. Capt. Legge, Lieut.-Col. Ballard, and Capt. Palms, are sent for by the Parliament, and are now on their way up, I think to give intelligence of what they know touching the troubles in the army. I write now a few lines to both the Speakers in answer of what they commanded me from the Houses. We hear of a lord and five gentlemen that are fled; two of them, I hear, stood to have been my General; yet I am sorry especially for one [H. Percy], for I know my lord of Northumberland will be much troubled in it. He has many horses in his quarter here, and his officers say his servants desire to go up with them, but I will stay them till further order. Pray ask the Earl of Northumberland what shall be done with them. There is yet no cornet to the Earl of Carnarvon's troop, and Chapman the Lieutenant is at London. [*Seal with arms, broken.* 1 *p.*]

May 14. The Close, Salisbury. 38. Dr. Matthew Nicholas to his brother Edward Nicholas. The miss of your letter the last week has made me at a stand in my journey to Bristol (for which I am called upon) in fear of disappointing your occasions for the renewing of the lease of the parsonage of Wherwell, which has depended at an uncertainty, in my judgment, too long. But thus I resolved to stay until Monday night, when I hope to receive your next, and in it some intimation of your intents for that business. If your resolution be not already set I could entreat that some stay might be made until my return from Bristol again, which will be, and shall be if your occasions call, within little more than a week after this comes to your hands. Wednesday come se'nnight shall be the furthest day of my absence. I yesterday performed the last office to my late Reverend Diocesan, who has left a hard task for whoever succeeds him to reach his worth. I wish of all men it may not be the Bishop of Bristol, for then I shall have no place to shelter me from a storm. The country (I thank them) have made me the next bishop, but I wish with all my heart we may have a man as answerable to the good work as I account myself unworthy. It is too much ambition, I confess, for me to think of being Dean; yet I believe that if the Prince's tutor [Bishop Duppa of Chichester], as it is believed here, be our Bishop, our Dean will succeed him in his bishopric; and if it fall easily in your way to compass for me this exchange, I will promise you it shall be all the motions I will make to you for my preferment. This ambition I conceive pardonable, in respect that the aim of it is convenience, not profit; and if you please but to speak a word unto our Dean about it, I believe he will not let it pass without your notice.—P.S. I have

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spoken to Mr. Greene, as you willed me, and he will very gladly continue in your employment. [*Seal with arms.* 1 *p.*]

May $\frac{14}{24}$. Paris. 39. [Mr. Montague] to Mr. Jermyn at the Court. In all the pain of this perplexity you will believe me in, I ought to tell you that I have a private spirit that dictates a good end to me; for among all the guesses of the occasions of shutting the ports, I can find none so probable as [your ?] escape, which, in respect of all other conjectures here, is meritorious even to the Parliament to wish, for most talk of the danger of the King's person. I do conclude that the first news I shall have will be by Scandrett or by [you ?]. God send that which is best for the King and kingdom. The [French] King is removed this day towards Abbeville, and the Cardinal [Richelieu] follows to-morrow, of whom I did not take leave by reason of the ill day, expecting letters every minute till we heard from the post that the ports were shut. I have prayed so long in my first letter, as I could not forbear pestering in this, if God did not put me in mind of Mr. Witherings in these times. God send us some news. Now I am reduced to that from much hope of good I shall be ready upon any change to partake with you, if you change your progress, that I can only resolve in this uncertainty I hope God will continue to me that grace to promise with St. Paul that nothing shall separate me from the faith. [*Endorsed:* "Montagu, 22 May 1641. Fit to be read, 5." *Two seals with head.* $\frac{2}{3}$ *p.*]

May $\frac{18}{28}$. Paris. 40. Robert Reade to Thos. Windebank, gentleman of the Privy Chamber. The bearer of this letter is a Dutch gentleman, Count de Bentheim, Count of the Empire, and well known to the young Prince of Orange. If you have opportunity, pray show him civilities. My uncle is well, but in great pain to hear from your parts. Such strange reports are made here of the businesses there, that I tremble at the hearing of them, and am still in hope they are false; yet those reports are so frequent, and avouched with such authority, that it makes me startle very much. I live in expectation of receiving letters from you to-morrow, and pray that they may contain more comfortable relations of our affairs. On Friday last arrived here my lord of Carnarvon and Sir John Suckling. Mr. Jermyn is upon the way hither from Dieppe. The cause of their coming is whispered somewhat louder than ordinary, but not spoken out. I pray God send peace amongst you, and a settlement of affairs; and whoever desires the contrary, I wish he might never enjoy more contentment than now does your humble servant. P.S.—I thought not amiss to tell you that this Count is of the [Protestant] religion. I beseech you present my service to my cousin Turner, and my cousin Anne, if she be not removed into the country. [*Seal with arms.* 2 *pp.*]

May 18. Capt. Robert Slingesby to Thos. Smith. Henry Bartlett, in an English ship laden with coals bound for Dunkirk, was taken by a "Callacier" near Calais, 23rd March last, and by him pillaged of all his victuals and divers other things of small value, which was all he had that was portable, the particulars mentioned in this enclosed

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note, as also what was taken from him by the said Callaciers another time, being about six weeks before. A bilander laden with bales of silk and other goods to the value of 1,000*l.* freighted at Dover, and coming into the Downs for convoy, was chased by a Callacier, and to avoid him ran ashore at the Foreland, from whence the Callacier took her and carried her into Calais. Another ship, to avoid them, ran on shore at Hastings, where she was taken off the shore, with the death of some English who went into her to defend her, as I was informed by the merchants of Dover. These two last happened about a month since, of which I suppose the Lord Warden of the Cinque Ports has a more particular information, that which I have being only from the merchants of Dover, who told me that they had sent one purposely to petition about it. [*Copy written on the same paper as* 26 April 1641. *See Vol.* 479, *No.* 73. 1 *p.*]

May 18. Covent Garden. 41. Sir Wm. Uvedale to Matthew Bradley. I am now dispatching to you a full month's pay for the army; and Goldsbury, I hope, may be with you at Ripon with the most part of it upon Saturday se'nnight, or the Monday following at furthest. I purpose to send down to York and Ripon 40,000*l.* in ready cash, besides the bills of exchange and the monies already received by you, whereof I have sent you here a brief note. If you know of any more, I know you are so just as I shall hear of them from you; these are all I can remember for the present. I have sent you down also a list of the names of such officers as must be paid here, some by order of the Parliament, others by my Lord General's order. If there be any of them which have received any advanced monies or particular lendings, let me hear of it by your next, that we may prevent double payments. I shall speedily send you down some more monies, and therefore be ready for it with all your reckonings, and dispatch this payment out of your hands as fast as you can; for we are now hastening to disband all we can; and when that day comes expect me, for if God gives me health I am resolved then once more for the North. Lord Edward Howard has returned his 200*l.* some other way, and therefore that is no more to be expected. Capt. Chidley is desirous to know whether the 16*l.* paid to his Major be for his own entertainment or for his company. You will find his own desire by his letter which I have sent you. It is true I have lent him 20*l.* already. [2 *pp.*]

Encloses,

41. I. *Note above mentioned of monies already received there [in York], and which have been paid here in London; also of monies that have been paid here to be received there by you.* [1 *p.*]

41. II. *List of officers who are to be paid here at London.* [1 *p.*]

May 18. Hamburg. 42. Lieutenant-General James King to Sec. Vane. Upon your letter recalling me to England to the King's service I used all possible diligence. I was at that time in Sweden, and obtained my dispatch out of that kingdom, but was arrested by a long winter there, and am now for four days first arrived here at Hamburrie [Hamburg], which I thought fit to give you notice of, and to be informed if his

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Majesty has any employment for me, or if I be left to my liberty again. His Majesty's commands have diverted me divers times from other employments, but now I am afraid they will not be put to my offer again; therefore I expect that his Majesty will provide some honourable and settled condition for me, as you wrote to me; otherways I may well be put to a non-plus. Moreover, you know how constantly you assured me my pension should be duly paid, and now there are three terms past, and I or my attorney can have nothing. As I have great confidence in your affection to me, I presume you will pardon this my plainness, and help to redress the last in causing [them to] pay me my pension. And I entreat with your speediest convenience let me hear from you; for I hope his Majesty will not need to take great deliberation or make any difficulty to have me in his service, for I know none, in his Majesty's three kingdoms, spiritual or temporal to whom I have given any occasion of offence. And for my integrity to his Majesty's service, I am confident his Majesty will not doubt of me. My dutiful respects remembered to your lady and children. [2½ *pp.*]

May 18. Westminster. 43. J. Povey to Matthew Bradley at Ripon. There is now sent down by Mr. Gouldesbrough [Goldsbury] 24,000*l.*, out of which I have taken 100*l.*, as by the acquittances here enclosed will appear. In the coffer that is marked with a B. there is but 900*l.* I hope to send more next week. Now, landlord, be courageous and continue but this summer, for I hope to have that happiness once more to hear you say, "A cup of sack is good enough for me." My hopes are thus: first, that the Irish army are disbanded, as I am informed; second, that the House of Commons for certain are now about to get 300,000*l.* for your release out of this turbulent employment. The plot why those gallants fled is not yet discovered. It is a troublesome time with me, being now packing up. [*Seal melted.* 1 *p.*]

May 18. Whitehall. 44. Certificate of Edward Earl of Newburgh that Robert Binlos, who now sues for a license to travel, is conformable to the religion which by law is established in England. [⅙ *p.*]

May 18. 45. Note by Wotton Tomkins of fees payable to Sir John Lambe.

May 19. 46. Certificate of John Herne, J.P., that Sir Thos. Mackworth of Normanton, Rutland, has taken the oath of allegiance. [⅙ *p.*]

May 19. Covent Garden. 47. Sir Wm. Uvedale to Matthew Bradley. I have sent you by Goldsbury 24,000*l.*, and I purpose to send after it to York, as soon as I can get it in, 16,000*l.* more. I suppose you may have use of monies at York for payment of the train of artillery. I know that 13,000*l.* will pay both Messrs. Miviett and Henn a month's pay. You shall have notice what day it shall be there to dispose of it as you think good. [1 *p.*]

May ¹⁹⁄₂₉. Whitehall. 48. Charles Louis, Prince Elector, to [Sir Thos. Roe]. The good weather since your departure makes me almost assured of your happy arrival at the Hague, and I am confident that no man could be welcomer to the Queen my mother, and all those that know you there,

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and wish well to your employment. I doubt not but you have received more light in it by the discourse Von der Lipp has had with Curtius, and that you will make the less stay upon the way, that you may take them in this good humour they seem to be in. I send you herewith the King's letter to my brother Rupert. The Manifesto is not yet thought seasonable until next week to be proposed, though all assure me it shall be well liked of. My Lord of Bristol has given me some papers concerning his negociations at Vienna, which are most of them printed in a book called "Acta Lundorpii." What was done in Spain I have not yet, but he has promised them me. I leave the news of this place for those who love writing better than I do, for they want no matter. As for me, you may be sure I shall always endeavour, both with the King and on all other occasions, to prove myself your friend. [2 *pp.*]

May 20. 49. Will of Elizabeth Hamden, widow of John Hamden, late rector of the parish church of Chipstead, co. Surrey. Makes Matthew Pygeon of Coulsdon, Surrey, sole executor. Bequeaths 40*l.* to be distributed among the poor of the parish of Chipstead. Devises and bequeaths to her nephew, Thos. Field, son of Richard Field and her sister Frances Field, his late wife, deceased, all that capital messuage and tenement known by the name of Tooting, lying in the parish of Burstow, Surrey, and now in the tenure of Thos. Holmewood, to have and to hold the same in tail, with the remainder to Robert Fisher, son and heir of her brother Robert Fisher, to have and to hold the same in tail, the remainder thereof to her sister Jane Warren, her sons and daughters, and their heirs for ever. Bequeaths 500*l.* to Thos. Field aforesaid, to be paid him when he shall attain the age of 21 years, or, if he shall die before, to Robert Fisher aforesaid. [*Draft.* 2 *pp.*]

[May 20.] 50. Indenture between Bartholomew Fromonds of Cheam, Surrey, on the one part, and Edward Stratford of Nuneaton, co. Warwick, on the other part, whereby Fromonds leases to Stratford the coal mines in the close called the Great and Little Hanch, and Little Muspool meadow, being in the parish of Nuneaton, at the yearly rent of 10*l.* for the first 7 years, and 5*l.* yearly for the last 23 years that the lease has to run. [*Half skin of Parchment.*]

May 20. 51. Richard Kilvert to Sir John Lambe. That I may give you an account of your commands, I have spoken with the Doctor [Walker], and after some pebate he will be content (as he says, for my sake) to take 400*l.* this term, and accept of good security for the rest, to be paid, 450*l.* this time twelvemonth, and 400*l.* this time two years; but so as it may be dispatched by Saturday night next without further delay. I told him how short money was with you at this time, but I hoped you might make some shift to pay on Saturday 200*l.*, and secure the other 200*l.* to be paid this term, or within a week after the end of this term. He is slow to allow of it, yet I think he will come to it. This is all I can bring it to, for I find him very resolutely bent and resolved to admit of no delay. I am sorry

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I can bring this matter to no better a pass, but if I meddle any more I am to give my answer to-morrow morning, and therefore I pray you be pleased to let me receive your answer and further direction herein by this bearer my man. [*Endorsed by Lambe :* "Mr. Kilvert's letter for agreement with Dr. Walker." 1 *p.*]

May 20. Sion. 52. General instructions from the Earl of Northumberland, Lord Admiral, to Sir John Pennington, Admiral of the Fleet for the present expedition. Divine service to be performed daily. Misdemeanours to be instantly punished according to the known orders; crimes and felonies to be reserved for the ordinary trials at law Accounts of provisions and ammunition to be made up weekly. Ordnance to be used sparingly in practice, and not shot away idly. Number of officers' servants to be limited strictly according to regulations that the ships be not pestered with idlers. List of the ships placed under his command for this expedition to guard the Narrow Seas. All lights to be put out at the setting of the watch. Seas to be constantly scoured for the apprehension of pirates. If you chance to meet any ships belonging to any foreign prince or state, you are to expect the admiral or chief of them (in acknowledgment of his Majesty's sovereignty there) shall do homage by striking their topsails and taking in their flags; and if they refuse, and offer to resist you, you are to force them thereto. Merchant ships of his Majesty's kingdoms are to salute. You are not to suffer any fights to take place in these seas. Ships captured are to be brought into one of the King's harbours intact. You are to board any foreign ships if you suspect any of the King's subjects to be aboard, and take them into custody to answer their contempt of his Majesty's proclamation, but also friendly to admonish the captains of such vessels; to apprehend all such as sell or barter with pirates; instructions to take advantage of the wind in fight, reserve fire for close and effective broadsides; precautions against fire; planks and leaden plates to be in readiness to stop gaps made by the enemy's shot; not to attempt to board until the smoke of the ordnance has cleared away, and the enemy's men above hatches have been swept away. Regulations as to salute both with regard to English and foreign vessels. [*Signed and sealed. Endorsed by Pennington :* "General instructions from the Lord Admiral for this present voyage. Received 20th May 1641." 13¼ *pp.*]

May 21. 53. Resolutions of the House of Commons on the three propositions offered from the Committee which met yesterday with the Committee of the Lords, touching the Scotch army; to which is subjoined the answer of the Scots' Commissioners to the same propositions. Resolved on the question that the whole arrears of 120,000*l.* be presently paid, out of which the due debts of the counties are to be deducted, and for the "brotherly assistance" of 300,000*l.*, it shall be settled and secured by the kingdom to them. That if the deduction may withdraw more monies than the Scots can spare from the disbanding, then the whole 120,000*l.* shall be allowed them for disbanding, and the debt to the counties be taken upon the kingdom for the present, and be first paid out of the "brotherly assistance."

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That when the treaty shall be fully concluded, and public faith given for peace and security for money, both the armies may be disbanded by degrees as money shall come in. *Subjoined,*

53. 1. *The Scots' Commissioners' answer to the above. Our assurance of your brotherly affection, and our longing to live at home in peace after the troubles of some years past, will be powerful means to move us to accept the resolutions of the Parliament, but there are insupportable difficulties against it. It is not unknown to you what privations the army at Newcastle has endured through the non-payment of their monthly allowance. Their necessities cannot be relieved by paying the arrears of* 120,000*l. Moreover, the army expects payment not only of the arrears from the* 16*th Oct., but from the time of their first marching in June. Many of them indebted themselves at home to fit themselves for this expedition, and their creditors look for payment on their return. A great part of the merchants have employed their whole stock for the public use, and many of their ships have been utterly spoiled, whereby all trade will cease no less after the concluding of peace than in the time of the troubles, unless they be furnished and set up again with money. We conceive also that the debt to the counties cannot conveniently be paid to the satisfaction of the creditors but by the Commissioners of the army, and other private persons who have given assurance for payment before their removal. We therefore desire that all things may be done for the speedy and total disbanding of the armies, and do entreat and expect that such a proportion of the brotherly assistance may be presently paid as may be in some measure answerable to our pressing burdens, and to that brotherly affection which moved the Parliament to grant it for our timely relief, and that for the remnant security may be given, that, all occasions of differences being removed, our common enemies may have no matter to work division, and both kingdoms may be settled in a firm peace.* [*The above Resolutions are printed in Commons' Journals, ii. p.* 153, *but not the answer of the Scots' Commissioners.* 2 *pp.*]

May 21. 54. Two speeches spoken in Parliament by the Lord Viscount Newark: the first concerning the right of bishops to sit in Parliament, May 21, 1641; the second about the lawfulness and conveniency of their intermeddling in temporal affairs, May 24. [*Printed pamphlet, without printer's name, but dated London,* 1641. *Both speeches are printed in Cooke's Speeches in Parliament, ed.* 1641, *pp.* 305–313. 9 *pp.*]

[May 21 ?] 55. Petition of Wm. Jordan, David Parry, and others, on behalf of themselves and the whole body of Thames watermen, being many thousands, to the Council. For the better government of the watermen of the river Thames it was enacted, 2 & 3 Ph. & Mary, that the Lord Mayor and Court of Aldermen should elect eight of the said watermen, who should be called overseers and rulers of all

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the wherrymen and watermen of the Thames. These overseers have not only themselves made divers orders contrary to the true meaning of that Act, which tend more to the bringing in of a great yearly profit to their purses than to the reformation of abuses; but, for the better effecting of their own purposes, the new overseers did at the late Convention of Parliament prefer a Bill to be passed, wherein they would have had 38 every year to have the power to commit both in London and six counties besides, and by that means determined to have taken the power both of election and commitment wholly or for the most part from the Lord Mayor and Court of Aldermen. Pray a reference to the Lord Mayor and Court of Aldermen to examine all the capital grievances throughout the whole river, and to rectify the same according to the intention of the Act, or else to certify you the true estate, that petitioners may be relieved by you, and the corruptions of their head may no longer surcharge them. [¾ *p.*]

May 21. York. 56. Sir John Conyers to Edward Viscount Conway. Mr. Goring's Sergeant-Major Willis, is now on his way to London by order of the Parliament, and it was said here that the Colonel himself was put out of his government, if any such thing should be, or anything else fall to be open, fit for me, I beseech you to assist me to get it, and to inform me of it, that I may in time use my best endeavours; for I cannot believe but that Berwick will be dissolved. And what the Parliament speaks of for an establishment for officers, I fear, will never take effect, and I have experienced how little good comes of a pension. [*Seal with arms broken.* ¾ *p.*]

May ²¹⁄₃₁. Paris. 57. Robert Reade to his cousin [Thos. Windebank]. I care not if my letters have been opened and inspected. They say Mr. Jermyn is in France, but he is not yet come here. Lord Carnarvon is either gone or going for England. I understand not rightly the nature of their offences, but am confident there could be no design of sending an army from hence, since they are so full of business here. However, it is not well to trouble business, I am sure none concerned in them shall fare the better for it. It is likely, now that the Earl of Strafford is dispatched, that business will go faster, and that amongst them my uncle's [Sec. Windebank's] will have its turn. What course will be taken in it I cannot judge; but I doubt not, if they make a charge, such things will be contained in it as cannot be foreseen; and I fear if somebody be not there present to make a defence or disprove them, they may be taken *pro confesso*, which may be a ruin to us all. I know nobody is able to answer but my uncle and myself; for him there is no thought of his going thither; for myself, I know no reason why I should not be there. If his Majesty please to avow my uncle, I think there will be no need of other answer; but if he shall please to say he will first see the charge, there will be a necessity of somebody's being there to bring to his Majesty's remembrance the grounds and reasons upon which divers things were done, which must needs be slipt out of his memory, and besides there are divers papers and warrants to be searched out

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for my uncle's justification. If his Majesty please to cause the charge to be sent hither, then there will be no need of me till the answer go back, which will be the best way of all. I beseech you consider seriously of it, and as soon as the business shall be spoken of, it would not be amiss to know his Majesty's pleasure in all these particulars, and in the meantime let me know your own opinion. [*Two seals with crest.* 2½ *pp.*]

May $\frac{2}{3}\frac{1}{1}$. Paris. 58. M. Battière to [Sec. Vane]. This day sevennight, as soon as the packet was gone, arrived here in Paris Lord Carnarvon and Sir John Suckling, by whose reports it was made known for what cause the posts had been stopped in England. They had left Mr. Jermyn at Dieppe, who, as I hear, has since come to Rouen, whither Mr. Montague is gone to meet him. The news they brought was in all diligence sent by M. de Chavigny (who is still here) to the Cardinal [Richelieu], and the Cardinal sent M. de Breré to the [French] King with it, which being afterwards divulged and much added to it bred divers speculations here. Many could not be persuaded but that this King's fleet instead of going to Portugal was likely to have orders to draw near to the Isle of Wight and Portsmouth to try this occasion; and that which made it probable was that some Romish English were then seen sundry times at M. de Chavigny's, and by consequence supposed to negociate with him to some such purpose, and that M. de Breré and the Portuguese journey was purposely as it seemed delayed, Portugal not wanting them yet, as being not much pressed by the Castilians for the present. The confident report also of the Queen's being at Portsmouth besieged, and his Majesty's being gone to the army, confirmed this opinion, till all these imaginations were dispelled by the arrival of the post this week, who brought the letters of both weeks; and I hear that their fleet here cannot well be ready before their Midsummer day, which is the cause the Portuguese undertake a journey to Abbeville. M. de la Ferte-Imbaut's son went from hence on Tuesday last, with his tutor, one Duyer, an Irish doctor of the Sorbonne, to embark at Dieppe, as they said, with the Ambassador his father, to go into England,—which makes me believe now it is in earnest. I advertised last week of Capt. Fermor, a Scotchman, going from hence into England, sent express by Sir Oliver Flemming. I hope he is well arrived. I was this week again with M. de Loynes, Secretaire de la Marine, to hear their answer concerning the ship called the "Unity" taken at the passage by Fuenterrabia from one Mr. Rand, the King's subject. He said, "I beg you will have "patience for some days longer. I have sent on your claims to "M. de Bordeaux, who has the vessel, and from whom I am expecting "an answer every day, and I promise you, you will not have to wait "long." I prayed him also to surcease the proceedings against some English ships newly taken, until they had sent their papers hither. One is brought in at Calais; I cannot yet tell for what. The other was taken by Morlaix in Brittany, and is charged with having some canvasses and cloths in her to make sails of, the exportation whereof is forbidden; and they pretend to have the ship and goods con-

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fiscated, which they say is of great value, but I hear nothing yet from the English for their defence. When I took my leave of him he showed me a letter of M. Montreuil concerning Capt. Regimont, and told me that Grollier was released, and the ships at Toulon were rendered, but that innocent Regimont could not get off yet, who could prove that the English themselves have committed that which they accuse him of. I answered only, that I was sure, that as soon as his innocence should appear, he would also be released. He desired me to write one word to your Honour about it, and to put my Lord Ambassador also in mind of him, which I told him I would.—P.S. The Earl of Carnarvon went hence yesterday back again towards England. [2 *pp.*]

May 23. Covent Garden. 59. Sir Wm. Uvedale to Matthew Bradley. I have sent down by Harrison 16,000*l.*, and have caused him to deliver it to Mr. Miviett until you can spare yourself to go to York to charge it, only that both he and Henn may make use of some of it for the present dispatch until you come. You must allow those that come with my fellow Harrison, I mean those two that return hither again, 20 days' entertainment, and himself 25 days. There is a man of Miviett's that is come down with this money, who is to have half pay as a conductor, that is for 10 days. [*Seal with device.* 1 *p.*]

May 23. Burdrop. 60. Wm. Calley to Richard Harvey. Enclosed is a letter. Fourteen days since my mother sent a great bottle, directed to you, by the carrier, to be filled with the best salad oil, but she has heard nothing of it [½ *p.*]

May 24. Denmark House. 61. Note of causes appointed to be heard in the Queen's Court at Denmark House this day, relative to the administration of her jointure-lands in cos. Norfolk, York, Berks, Northampton, Chester, Lincoln, Cumberland, Essex, Bedford, and Anglesea. [2 *pp.*]

May 24. 62. Dr. Walker's acquittance to Sir John Lambe for 100*l.*, received 24th May in part payment of a sum of 1,250*l.*, adjudged to be paid to him by final order of the Lords in Parliament. Ditto for 100*l.* received 26th May. [1 *p.*]

May 24. Paris. 63. Robt. Reade to [Thos. Windebank]. The shutting of the ports has kept from me the comfort of your letters. My uncle is very well, and is better pleased with this last lodging, nevertheless he prays God to bring us back to our country and friends. [1 *p.*]

May 25. 64. Sir Wm. Uvedale to [Matthew Bradley] concerning the payment of several officers, as Lord Edward Howard, Mr. Pinckney, Lieutenant-Colonel Ballard, Serjeant-Major Brockett, Lieutenant-Colonel Boles, Colonel Wm. Vavasour, Sergeant-Major Willis, also the payments to soldiers and billeters. Extreme want of money makes him fear that the final cashiering of the army may be long delayed. Sends 16,000*l.*, which will be at York by Monday or Thursday week at furthest. If not convenient to come speedily to York, Miviett might make use of 8,000*l.* (if his payments press him), and Henn

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of 3,000*l.*, the rest to stand until they receive order from you. This 16,000*l.* makes a total of 40,000*l.* sent to you besides bills of exchange and payments that have been made here. I have been often spoken to, to draw out Mr. Vernon's charge, the Marquis of Hamilton's paymaster, and also by some of that country to know whether I have received any ship-money from the Sheriff of Northumberland. [4 *pp.*]

May 25. Lincoln's Inn. 65. Whereas by an order of the Commons, 20 May 1641, it was ordered that the Benchers of this House should forthwith restore Wm. Prynne to his former condition in this Society according to his antiquity, and to his chamber there as in and by the said order, whereunto relation being had, appears: it is now ordered that Mr. Prynne shall be forthwith restored to his former condition in this House, according to his antiquity, and his chamber there, and he is hereby, and by the Benchers of this House *nullo contradicente*, fully and clearly declared to be accordingly restored. [½ *p.*]

May 25. June 4. 66. Elizabeth, Queen of Bohemia, to Sir Thos. Roe. I send Broughton after you with letters. He can tell you all the news. I send you what my son writes, only our little prince is returning. My son [the Prince Elector] is much troubled, as you will see; but since the King did so absolutely command it, his honour is saved, though I wish the King withal had a little reserved it to the Ambassadors; but there is no remedy, yet the latter end pleased me that the King will have him do it no more. I forgot to tell you that by the post I sent Curtius word what good you intend him. When you have read my letters I pray send them back. [1 *p.*]

May 25. 67. Note of monies Henn has received at York and paid here, as also monies that have been paid here, and charged upon him there. Total 507*l.* Ditto by Mr. Miviett, total 503*l.* 17*s.* 4*d.*

May 25. The Downs. 68. Capt. Robert Fox to the Lord Admiral. In my coming over I met with two French pickeroons who had taken a hoy on the backside of the Southsands Head as they came from Dunkirk, the particulars whereof the attestation inclosed will signify. *Subjoined,*

68. I. *Copy of the attestation above mentioned. Nicholas Payne of Dover, clothworker, says that passing from Dunkirk in a hoy of Faversham called the Anne, about a league off the South Foreland, a French frigate and a French shallop laid the hoy aboard, and took her about nine of the clock 25 May, and took from the said Nicholas Payne a packet of letters directed to the Lord Warden of the Cinque Ports, and other papers, and pillaged John Mills and Edward Watts of Canterbury of their clothes and money, and put the said parties, together with Thos. Reynolds, master of the hoy, two other men and a boy, in the hold for six hours. Afterwards the Leghorn merchant,*

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now employed in his Majesty's service, giving chase to the said shallop and hoy, took the hoy again, and chased the shallop until it proved calm, which was about five of the clock at night, 15 *May* 1641. *Signed: Nicholas Payne, John Mills, Edward Watts, Thos. Reynolds.* [1¼ *p.*]

May 26. Queen's College, Oxford. 69. Thos. Smith to Edward Nicholas. Quarter day draws near, when there will be occasion for more money. The overplus of your last money is part of it laid out, and some part yet in my hands. I believe a matter of 10*l.* more will discharge all for this quarter, but if you please to send any more towards the next quarter, it shall be thriftily husbanded. Your son [John] is very well in health, and very industrious in his studies. God give a blessing upon them that he may continue to prove a comfort to so good a father. [*Endorsed by Nicholas:* "Mr. Smith to me for money for paying of Jack's quarterage due Midsummer last." ⅔ *p. Copy.*]

May 27. 70. Inventory of furniture of a gentleman's mansion, with the prices which the same realised at the sale, and of which Mrs. Porter purchased certain parcels of striped stuff for 20*s.* Total sum realised by the sale, 31*l.* 2*s.* 0*d.* [19 *pp.*]

May 28. June 7. Paris. 71. Robert Read to [Mr. Calandrini]. I humbly thank you for giving so speedy and effectual an answer in my business. My service to Mr. Courten and Mr. Burlamachi. P.S.—Please cause the adjoined to be delivered to my cousin Windebank. There is contained in it a letter to my cousin John Windebank at Oxford, another to my brother Dr. Thos. Read at Oxford, a letter to Mr. Francis Read, and another to Mr. Richard Beard. If they should be opened, and not come altogether to your hands, I beseech you call for them. [1 *p.*]

May 28. June 7. Paris. 72. The same to Thos. Windebank. I received yours of the 20th with ill news of my cousin's death contained in it. It troubles me not much to hear that my letters are opened, since they are safely delivered to you afterwards; for if ever any plot enter into my head other than how to get home again, I wish I might be for ever banished, which is the greatest punishment that could be inflicted upon me. P.S.—We hear the Earl of Leicester is declared Lord Deputy of Ireland. You shall receive from Mr. Calandrini a little packet wherein are letters to my cousin John [Windebank] and my brother [Dr. Thos. Read] at Oxford, my uncle Beard and my cousin Frank Read. Enclosed are letters to cousins Anne and Francis. [*Seal with arms.* 2 *pp.*]

May 28. York. 73. Sir John Conyers to [Edward Viscount Conway]. I have received yours of the 24th May, and have taken your advice in giving my lord of Northumberland thanks for his favour to me in Parliament. We hear there be monies on the way for the army. My Lord General has sent me a commission to command the troops [of Horse] in his and your absence, and the like he has sent to Sir Jacob

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Astley touching the Foot. Since my last there has been no change here in the army. I fear so long as the Bishops have any power the Church of England will hang towards that of Rome, and will never be aright settled to the true service of God. [*Seal with arms broken.* 1 *p.*]

May 28. Arnhem. 74. Sir Thos. Roe to [Sec. Vane?] My last only told you how far I had gotten. This shall acquaint you what I have done in post at the Hague and with the Prince of Orange. At my first audience of the States I communicated to them the scope and subject of my employment, and made the merchants' complaint in good and round language, which I presented in writing, but have no time upon the way to transcribe the copies. In the first they seemed to receive good satisfaction; to the latter they promised to give Sir Wm. Boswell a particular and just answer. It will be superfluous to repeat my arguments grounded upon the treaties of commerce made with the States General, broken by particular provinces with whom my master [the King] had nothing to do, but at my first leisure your Honour shall receive the forms of my proceeding. I had some conference concerning the making good use of this new alliance by strengthening the old, which though they seem to entertain, yet believe me we shall draw no fruit from them unless it proceed from ourselves, and in these cases one wise makes two happy. Therefore my opinion is that you shall not stand upon punctillios who shall begin to propose, but to put them to a trial that we may know what to expect from them, whether they be fish or flesh, whether French or English. And I am persuaded that many are weary of France, and that the Prince of Orange considers his age, and in what condition he may leave his son, and therefore will be glad to ground his security upon England, with whom he is allied, and that we may yet draw our advantage out of this conjuncture, and make such an alliance with them as might concur with both our ends, and engage neither into danger, though the treaty should be admitted offensive and defensive; so that both were limited to manner, place, and scope, and I durst undertake so to frame it; but I leave it to his Majesty's wisdom. I found here deeply rooted misunderstandings between the Prince Elector and the Prince of Orange, which I hope I have successfully removed. Certainly nothing more necessary both for the private life and public affairs of the Queen of Bohemia and her children. But having written thereof more particularly to his Majesty and the Prince Elector, I beseech you to be referred, and that you will read those letters. There is one Elphinston coming into England, whom I have addressed to his Majesty, that is full of intelligence, and certainly has been a spy to the House of Austria; but now he pretends to open their secrets for his Majesty's service. I desire you to speak with him freely; he will inform much. The use I leave to your own judgment. I have had some conference here about the depending controversies between the East India Companies, and have been bold to write my opinion to his Majesty thereupon, which is, that in the first place it is necessary to compose them, to keep up the trade, and to encourage our merchants, lest it

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fall wholly into the Dutch hands; secondly, that I am confident the States will go no higher, and that Sir Wm. Boswell being shut up by a late and strict commission, that these here are glad it may lie asleep. Therefore it will be more advantage both to the King and State to abate a little present money, which will soon be repaid by the customs if the trade renew, than to hazard both the one and the other by delay. What I gather here concerning the Diet and my employment is at second-hand, and so various, according to the judgments and affections of men, that I will trouble you with no rumours till I come nearer the place and can make my own observations. What is defective in this (for I am on the way) you will collect from my other letters to the King and Prince. I have left the Queen in a perfect good disposition to comply with possibilities, wherein she has intrusted me scope enough, this being all I can advise from an inn. I am confident you will preserve me in his Majesty's good opinion and under your own protection, as being by your place my chief, for you shall never find any more faithful and honest than your humble servant. [2¼ *pp.*]

May 28. 75. The answer of Anne Lady Farmor, widow, committee of the custody and wardship of the body and lands of Charles Stafford, his Majesty's ward, and of the said Charles Stafford, by Lady Farmor his guardian, to the bill of Anthony Stafford, complainant. That John Stafford was in his lifetime seized of the manor and lordship of Milton *alias* Middleton Keynes, Bucks, which descended to Edward Stafford, deceased, his Majesty's late ward, in such manner as in the bill of accompt is expressed. The custody and wardship of Edward Stafford, and in case of his death before the age of 21 years without being married, of the next heir male, was committed by his Majesty that now is to Sir Hatton Farmor, her late husband, his executors and administrators. The said Edward Stafford having died before the age of 21, unmarried, the above lands descended to Charles Stafford, still under the age of 21, who came into the wardship of Sir Hatton Farmor; and he dying intestate, respondent, by virtue of his Majesty's grant, succeeded to the wardship of the said Charles Stafford, and since the death of Sir Hatton has taken the profits of the manors and lands. But she did not know that John Stafford did by his will grant to the complainant and his assigns one annuity or yearly rentcharge of 30*l.* to commence after the decease of John Stafford; nor did she know that Wm. Stafford, mentioned in the bill of the complainant, did pay the said annuity to the complainant, nor does she know what is the total sum now in arrear; and therefore in her own and her ward's behalf prays that it may be determined by the court. [*This answer was taken* 17 *May* 1641, *but is dated* 28 *May, probably the day this case came on for hearing. Damaged by damp. Copy.* 9 *pp.*]

May 29. 76. Brief in a cause depending in the Court of Delegates, on behalf of Robert Wilkinson, proprietor of the ship called the "Jane of Newcastle," against Edward Clark, master of the "Indifferent" of Ipswich, defendant. [9 *pp.*]

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May 29. 77. Similar brief of the defence of Edward Clark, master of the "Indifferent," against Robert Wilkinson. [5 *pp.*]

May 31. 78. William Lord Say and Sele to Sir John Lambe. I did once the last winter send one to you to intreat you to speed as soon as might be the hearing and determining of a cause [in the Court of Arches] touching a contract supposed to be made between the daughter of one Mr. Blunt and Faulkner, in which cause, as it appears to me, you will find there was foul plotting and indirect contriving to get a colourable pretence of a contract. Mr. Blunt is known to be an honest man and is my kinsman. All that I desire of you is that the cause may receive a speedy and just end. P.S.—The persons that I hear are made use of in this business as witnesses are lewd persons, and such as have been punished before me and other justices of that county. [½ *p.*]

May 31. 79. Acknowledgment of Lieut.-Colonel Rd. Bolles of the receipt from Matthew Brodley of 30*l.* paid to Sir W. Uvedale at London by Robert Bolles for the Colonel's use. [½ *p.*]

May 31. Burdrop. 80. Wm. Calley to Richard Harvey. Invites him to Burdrop for the good of his health. Begs him to engage a chamber at Francis Andrew's house for when he comes to town. When John Tichborne's debt is paid in begs him to reinvest the money. But now for Lord George Digby's speech, which you say, if I observe, I shall find he anticipates the judgment of his Majesty and the Lords, because he is persuaded they will not pass the bill against the Earl of Strafford; and why may he not thus think, since his opinion is that the Earl being now condemned will be upon a law made *à posteriori*? Neither does it savour of any other than a brain-sick phantasy or a malicious tongue that would make him beholden to Sir Walter Raleigh for the speech he made in the Tower. The matter contained in it shows the contrary. Marry, Sir Walter Raleigh might have a prophetic spirit, and make a speech that might serve his own turn and this man's too, who by the story had it not in him (though by power, and I know not what, he abused the world's credulity whilst he was living) to leave such a testimony of his worth at the time of his death. He had imperfections, no doubt of it,—yea, great ones, and such as made the people groan, if all be true that is reported of him. But give the devil his due; he had perfections likewise, amongst which his oratory was not the least. [*Seal with arms.* 1½ *pp.*]

May 31. 81. Order, signed by John Brown, clerk of the Parliaments, that Sir John Lambe shall be permitted to pay the rest of his debt due to Dr. Walker by yearly payments, and shall give such good and sufficient security for the same as the Earls of Bath and Dorset shall like well of. *Underwritten by the Earl of Dorset,*

81. 1. *If the Earl of Bath please to nominate a counsellor to draw the assurance for Dr. Walker, I make choice of the Prince's attorney, Mr. Lawe, to consult and conclude for*

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Sir John Lambe. I shall wait on the Earl of Bath for composing it according to this order, 2 June 1641. [1 *p.*]

May 31. 82. Copy of the above. [1¼ *pp.*]

May. 83. Warrant to all Mayors, Justices of the Peace, Bailiffs, Constables, Headboroughs, and all other his Majesty's subjects. In the conveyance of the treasure for the payment of the garrison of Carlisle through the several counties you are to appoint able and sufficient persons of quality to aid and guard the same by day, in its progress from place to place, and others to watch and guard the same by night; you are likewise to provide convenient rooms for the treasure, and lodgings for those that attend it, and carts and teams for the conveyance thereof. [½ *p.*]

[May ?] Whitehall. 84. Warrant to the Attorney-General to insert, in the commission now preparing constituting George Duke of Buckingham President [of the Council] at York, the name of Major William Gower to be sergeant-at-arms to attend the said President. [*Draft.* ¾ *p.*]

[May.] 85. A brief relation touching the government and levying of the King's revenues within the survey of the Court of Exchequer, as also the cause why those revenues have of late times fallen into so great arrears, and from whence the obstruction doth arise, with a humble proposition of a remedy. [9 *pp.*]

[May.] 86. Petition of John Hall to the King. That being made privy to a horrid and wicked plot contrived by Major White and others against your Majesty's person and kingdom, petitioner, as in duty bound, presently discovered the same. In consequence of his fidelity he has lost half his employment, and has since gone in danger of his life by those wicked men; and especially in the late bloody insurrection they beset his house to have killed him, but he escaped. Begs a reward. [½ *p.*]

[May.] 87. Complaints against drainage works in the petition of the county of Lincoln. Our lands and inheritances are taken from us by pretence of laws of sewers, wherein the Commissioners proceed without inquisition by jury, but by their own view, they being the Commissioners and parties deeply interested. They take the one half of our common and fen grounds for supposed draining the rest, which they make and leave much worse than they found it, and yet expect melioration from our severals. They bring our severals under tax which are worth from a mark to 20*s.* an acre per annum. Other our severals they violently take from us (that were never taxed) to dig their drains through them against the owners' consent, and pay not any composition for them. They distrain and sell our goods that come upon the ground they have taken from us, and will not obey replevins. If we proceed at law for trial of our titles, we are sued, pursevanted, imprisoned, and are ordered by the Lords of the Council not to proceed except at the Council Board or before Commissioners of Sewers. Our consents are extorted to make us subscribe to their proceedings, and if we gainsay they imprison us to fit

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matters for their ends. Our ancient Commissioners have been put out, and foreigners, adventurers, and participants are put into commission. Our salt marshes, which have been enjoyed by us and our ancestors hundreds of years, are taken from us as supposed to be gained from the sea. Our commons are taken from us under pretence of commissions to improve for the King as lord of the soil, wherein they take more than half, the possession whereof is settled to the King by Exchequer injunctions before the cause be heard, which when it is done the cause is delayed. [*Seal with arms.* 2 *pp.*]

[May.] 88. Notes particularising the benefits which may accrue to the commonwealth from the prosecution of the drainage works in the Fens, with special reference to the bill for draining Bedford Level. [2 *pp.*]

[May.] 89. Brief in a suit in the Court of Arches, on behalf of Wm. Locke against Grove, reciting an instrument granting to Wm. Locke permission to construct a new pew in the parish church of St. Saviour's, Southwark, and bearing date 31st May 1636. The instrument is followed by depositions of witnesses, showing that in the seat where Mrs. Locke and her children formerly sat they were thronged, disturbed, and prevented from kneeling. [*Partly in Latin.* 24 *pp.*]

[May.] 90. Mr. [Robert] Jason, upon the petition of two women and one man to the Council table, was committed close prisoner in the Fleet for the supposed speaking of dangerous words against the King, Archbishop, and Earls of Arundel and Dorset. After 16 weeks' close imprisonment he was, upon security of 400*l.*, discharged, and bound to answer the complaint in the Star Chamber, where, after information exhibited and depositions taken, there was a proposition of agreement. The conditions were these:—Payment of 2,000*l.* to the King; 300*l.* each to the Archbishop and Earls of Arundel and Dorset, besides an engagement of all his estate to leave to St. Paul's Church 300*l.* per annum in case he died without issue, 200*l.* per annum leaving issue female, and 100*l.* per annum leaving issue male. His estate was to continue for 99 years; and this he was forced to do by the Archbishop's means before he would have his pardon. [*Endorsed by Prynne.* ¾ *pp.*]

[May.] 91. Certificate by Richard Hollings of the Recusants' revenue for the South of England, received by him, and charged to the accompt beginning 30 Sept. 1639 and ending 29 Sept. 1640. Total 4,680*l.* 17*s.* 3½*d.*, whereof 4,331*l.* 18*s.* 8½*d.* has been already issued, leaving 348*l.* 18*s.* 7*d.* in his hands. [1 *p.*]

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LONDON:
Printed by George E. B. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.
[12062.—400.—9/82.]

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